

103^D CONGRESS
1ST SESSION

H. R. 2295

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1993

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for for-
5 eign operations, export financing, and related programs
6 for the fiscal year ending September 30, 1994, and for
7 other purposes, namely:

1 TITLE I—MULTILATERAL ECONOMIC
2 ASSISTANCE

3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
6 RECONSTRUCTION AND DEVELOPMENT

7 For payment to the International Bank for Recon-
8 struction and Development by the Secretary of the Treas-
9 ury, for the United States share of the paid-in share por-
10 tion of the increases in capital stock for the General Cap-
11 ital Increase, ~~(1)\$55,821,000~~ \$27,910,500, to remain
12 available until expended~~(2)~~: *Provided, That one-half of the*
13 *funds appropriated by this paragraph may be obligated*
14 *only after April 1, 1994: Provided further, That the remain-*
15 *ing one-half of such funds may be obligated only after Sep-*
16 *tember 1, 1994: Provided further, That not more than*
17 *twenty-one days prior to the obligation of each half of such*
18 *funds, the Secretary submits a certification to the Commit-*
19 *tees on Appropriations that the Bank has approved no loans*
20 *to Iran since October 1, 1993, or the President of the United*
21 *States certifies that the obligation of these funds is in the*
22 *national interest of the United States.*

23 For payment to the International Bank for Recon-
24 struction and Development by the Secretary of the Treas-
25 ury, for the United States contribution to the Global Envi-

1 ronment Facility (GEF), \$30,000,000, to remain available
2 until expended(3): *Provided, That such funds shall be*
3 *made available to the Facility by the Secretary of the Treas-*
4 *ury if the Secretary determines (and so reports to the Com-*
5 *mittees on Appropriations) that the Facility has: (1) estab-*
6 *lished clear procedures ensuring public availability of docu-*
7 *mentary information on all Facility projects and associated*
8 *projects of the Facility implementing agencies; (2) estab-*
9 *lished clear procedures ensuring that affected peoples in re-*
10 *cipient countries are consulted on all aspects of identifica-*
11 *tion, preparation, and implementation of Facility projects;*
12 *and (3) the Facility governance process will provide for*
13 *contributor country oversight of individual projects in the*
14 *work program, and specific provisions will be established*
15 *for the participation of nongovernmental organizations in*
16 *all phases of the project cycle, including identification, ap-*
17 *praisal, implementation, and evaluation: Provided further,*
18 *That in the event the Secretary of the Treasury has not*
19 *made such determinations by September 30, 1994, funds*
20 *appropriated under this heading for the GEF shall be*
21 *transferred to the Agency for International Development*
22 *and used for activities associated with the GEF and the*
23 *Global Warming Initiative.*

24 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

25 The United States Governor of the International
26 Bank for Reconstruction and Development may subscribe

1 without fiscal year limitation to the callable capital portion
 2 of the United States share of increases in capital stock
 3 in an amount not to exceed ~~(4)\$1,804,879,000~~
 4 ~~\$902,439,500~~(5): *Provided, further, That none of the funds*
 5 *appropriated under this heading may be obligated until the*
 6 *International Bank for Reconstruction and Development*
 7 *has established within the Bank a position of an independ-*
 8 *ent inspector general.*

9 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
 10 ASSOCIATION

11 For payment to the International Development Asso-
 12 ciation by the Secretary of the Treasury,
 13 ~~(6)\$1,024,332,000~~ \$957,142,857, for the United States
 14 contribution to the replenishment, to remain available
 15 until expended(7): ~~*Provided, That funds appropriated*~~
 16 ~~*under this heading are available subject to authoriza-*~~
 17 ~~*tion*~~(8): *Provided, further, That none of the funds appro-*
 18 *priated under this heading may be obligated until the Inter-*
 19 *national Development Association has established within*
 20 *the Association a position of an independent inspector gen-*
 21 *eral.*

22 CONTRIBUTION TO THE INTERNATIONAL FINANCE
 23 CORPORATION

24 For payment to the International Finance Corpora-
 25 tion by the Secretary of the Treasury, ~~(9)\$35,761,500~~
 26 \$17,880,750, for the United States share of the increase

1 in subscriptions to capital stock, to remain available until
2 expended: *Provided*, That of the amount appropriated
3 under this heading not more than \$5,364,000 may be ex-
4 pended for the purchase of such stock in fiscal year 1994.

5 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
6 BANK

7 For payment to the Inter-American Development
8 Bank by the Secretary of the Treasury for the United
9 States share of the paid-in share portion of the increase
10 in capital stock, \$56,166,000, and for the United States
11 share of the increases in the resources of the Fund for
12 Special Operations, \$20,164,000, to remain available until
13 expended.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the Inter-American
16 Development Bank may subscribe without fiscal year limi-
17 tation to the callable capital portion of the United States
18 share of such capital stock in an amount not to exceed
19 \$2,190,283,457.

20 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
21 MULTILATERAL INVESTMENT FUND

22 For payment to the Enterprise for the Americas Mul-
23 tilateral Investment Fund by the Secretary of the Treas-
24 ury, for the United States contribution to the Fund to
25 be administered by the Inter-American Development

1 Bank, ~~(10)\$75,000,000~~ \$50,000,000 to remain available
 2 until expended.

3 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

4 For payment to the Asian Development Bank by the
 5 Secretary of the Treasury, for the paid-in share portion
 6 of the United States share of the increase in capital stock,
 7 ~~(11)\$13,026,366~~ \$2,000,000, to remain available until ex-
 8 pended: *Provided*, That funds appropriated under this
 9 heading are available subject to receipt by the Congress
 10 of the President's budget request for such funds.

11 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

12 For the United States contribution by the Secretary
 13 of the Treasury to the increases in resources of the Asian
 14 Development Fund, as authorized by the Asian Develop-
 15 ment Bank Act, as amended (Public Law 89-369),
 16 \$62,500,000, to remain available until expended~~(12):—~~
 17 ~~*Provided*, That funds appropriated under this heading are~~
 18 ~~available subject to authorization.~~

19 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

20 The United States Governor of the Asian Develop-
 21 ment Bank may subscribe without fiscal year limitation
 22 to the callable capital portion of the United States share
 23 of increases in the capital stock in an amount not to ex-
 24 ceed \$95,438,437: *Provided*, That the authority provided
 25 under this heading is available subject to receipt by the

1 Congress of the President's budget request for such au-
 2 thority.

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

4 For payment to the African Development Fund by
 5 the Secretary of the Treasury, ~~(13)~~\$132,300,000
 6 \$135,000,000, for the United States contribution to the
 7 sixth replenishment of the African Development Fund, to
 8 remain available until expended.

9 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

10 For necessary expenses to carry out the provisions
 11 of section 301 of the Foreign Assistance Act of 1961, and
 12 of section 2 of the United Nations Environment Program
 13 Participation Act of 1973, ~~(14)~~\$339,500,000
 14 \$360,628,000: *Provided*, That none of the funds appro-
 15 priated under this heading shall be made available for the
 16 following: the United Nations Fund for Science and Tech-
 17 nology, the G-7 Nuclear Safety Fund, the OECD Center
 18 for Cooperation with European Economies in Transition,
 19 and United Nations Electoral Assistance activities: *Pro-*
 20 *vided further*, That funds appropriated under this heading
 21 may be made available for the International Atomic En-
 22 ergy Agency only if the Secretary of State determines (and
 23 so reports to the Congress) that Israel is not being denied
 24 its right to participate in the activities of that
 25 Agency~~(15)~~: *Provided further*, That of the funds appro-
 26 priated under the heading not less than \$100,000,000 shall

1 *be made available for the United Nations Children's*
 2 *Fund*(16): *Provided further, That of the funds appro-*
 3 *priated under this heading, not less than \$3,000,000 shall*
 4 *be made available for the World Food Program:*
 5 ~~(17)~~*Provided further, That unless the President certifies*
 6 *to the Congress that the United Nations Population Fund*
 7 *(UNFPA) has terminated all activities in the People's Re-*
 8 *public of China, not more than \$36,215,500 of the funds*
 9 *appropriated under this heading may be made available*
 10 *for UNFPA: Provided further, That none of the funds ap-*
 11 *propriated under this heading may be made available for*
 12 *UNFPA until March 1, 1994, unless the President has*
 13 *made the certification referred to in the previous proviso:*
 14 *Provided further, That none of the funds appropriated*
 15 *under this heading that are made available to the United*
 16 *Nations Population Fund (UNFPA) shall be made avail-*
 17 *able for activities in the People's Republic of China: Pro-*
 18 *vided further, That if any funds appropriated under this*
 19 *heading are made available to UNFPA, UNFPA shall be*
 20 *required (1) to maintain such funds in a separate account*
 21 *and not commingle them with any other funds, and (2) to*
 22 *refund to the United States an amount equal to any*
 23 *amount that UNFPA contributes to the People's Republic*
 24 *of China in 1994 that is in excess of the amount that*

1 *UNFPA had planned to contribute to the People's Republic*
2 *of China in that year.*

3 TITLE II—BILATERAL ECONOMIC ASSISTANCE

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 For expenses necessary to enable the President to
6 carry out the provisions of the Foreign Assistance Act of
7 1961, and for other purposes, to remain available until
8 September 30, 1994, unless otherwise specified herein, as
9 follows:

10 AGENCY FOR INTERNATIONAL DEVELOPMENT

11 DEVELOPMENT ASSISTANCE FUND

12 For necessary expenses to carry out the provisions
13 of sections 103 through 106 of the Foreign Assistance Act
14 of 1961, \$811,900,000, ~~(18)~~*to remain available until*
15 *September 30, 1995*~~(19)~~*: Provided, That of this amount*
16 *not less than \$10,000,000 shall be made available for coop-*
17 *erative projects among the United States, Israel, and devel-*
18 *oping countries, of which not less than \$5,000,000 shall be*
19 *made available for the Cooperative Development Program,*
20 *not less than \$2,500,000 shall be made available for cooper-*
21 *ative development research projects, and not less than*
22 *\$2,500,000 shall be made available for cooperative projects*
23 *among the United States and Israel and the countries of*
24 *Eastern Europe, the Baltic states, and the independent*
25 *states of the former Soviet Union.*

1 POPULATION, DEVELOPMENT ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of section 104(b), \$392,000,000~~(20)~~, *to remain available*
4 *until September 30, 1995: Provided, That* none of the
5 funds made available in this Act nor any unobligated bal-
6 ances from prior appropriations may be made available to
7 any organization or program which, as determined by the
8 President of the United States, supports or participates
9 in the management of a program of coercive abortion or
10 involuntary sterilization: *Provided further, That* none of
11 the funds made available under this heading may be used
12 to pay for the performance of abortion as a method of
13 family planning or to motivate or coerce any person to
14 practice abortions; and that in order to reduce reliance
15 on abortion in developing nations, funds shall be available
16 only to voluntary family planning projects which offer, ei-
17 ther directly or through referral to, or information about
18 access to, a broad range of family planning methods and
19 services: *Provided further, That* in awarding grants for
20 natural family planning under section 104 of the Foreign
21 Assistance Act of 1961 no applicant shall be discriminated
22 against because of such applicant's religious or conscien-
23 tious commitment to offer only natural family planning;
24 and, additionally, all such applicants shall comply with the
25 requirements of the previous proviso: *Provided further,*

1 That nothing in this subsection shall be construed to alter
2 any existing statutory prohibitions against abortion under
3 section 104 of the Foreign Assistance Act of 1961.

4 DEVELOPMENT FUND FOR AFRICA

5 For necessary expenses to carry out the provisions
6 of chapter 10 of part I of the Foreign Assistance Act of
7 1961, \$784,000,000, to remain available until September
8 30, 1995: *Provided*, That none of the funds appropriated
9 by this Act to carry out chapters 1 and 10 of part I of
10 the Foreign Assistance Act of 1961 shall be transferred
11 to the Government of Zaire(21): *Provided further*, That
12 funds appropriated under this heading which are made
13 available for activities supported by the Southern Africa
14 Development Community shall be made available notwith-
15 standing section 512 of this Act and section 620(q) of the
16 Foreign Assistance Act of 1961.

17 PRIVATE AND VOLUNTARY ORGANIZATIONS

18 None of the funds appropriated or otherwise made
19 available by this Act for development assistance may be
20 made available to any United States private and voluntary
21 organization, except any cooperative development organi-
22 zation, which obtains less than 20 per centum of its total
23 annual funding for international activities from sources
24 other than the United States Government: *Provided*, That
25 the requirements of the provisions of section 123(g) of the
26 Foreign Assistance Act of 1961 and the provisions on pri-

1 vate and voluntary organizations in title II of the “Foreign
 2 Assistance and Related Programs Appropriations Act,
 3 1985” (as enacted in Public Law 98–473) shall be super-
 4 seded by the provisions of this section.

5 **(22)** ~~WOMEN IN DEVELOPMENT~~

6 *In recognition that the full participation of women in,*
 7 *and the full contribution of women to, the development proc-*
 8 *ess are essential to achieving economic growth, a higher*
 9 *quality of life, and sustainable development in developing*
 10 *countries, not less than \$11,000,000 of the funds appro-*
 11 *priated by this Act to carry out part I of the Foreign Assist-*
 12 *ance Act of 1961, in addition to funds otherwise available*
 13 *for such purposes, shall be used to encourage and promote*
 14 *the participation and integration of women as equal part-*
 15 *ners in the development process in developing countries, of*
 16 *which not less than \$6,000,000 shall be made available as*
 17 *matching funds to support the activities of the Agency for*
 18 *International Development’s field missions to integrate*
 19 *women into their programs: Provided, That the Agency for*
 20 *International Development shall seek to ensure that country*
 21 *strategies, projects, and programs are designed so that the*
 22 *percentage of women participants will be demonstrably in-*
 23 *creased.*

24 **INTERNATIONAL DISASTER ASSISTANCE**

25 For necessary expenses for international disaster re-
 26 lief, rehabilitation, and reconstruction assistance pursuant

1 to section 491 of the Foreign Assistance Act of 1961, as
2 amended, ~~(23) \$145,985,000~~ *\$48,965,000* to remain avail-
3 able until expended.

(24) MICRO AND SMALL ENTERPRISE DEVELOPMENT
PROGRAM ACCOUNT

6 For the cost of direct loans and loan guarantees,
7 \$2,000,000, as authorized by section 108 of the Foreign As
8 sistance Act of 1961, as amended: Provided, That such costs
9 shall be as defined in section 502 of the Congressional Budg-
10 et Act of 1974: Provided further, That these funds are avail-
11 able to subsidize gross obligations for the principal amount
12 of direct loans and total loan principal, any part of which
13 is to be guaranteed, not to exceed \$50,000,000.

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
15 DISABILITY FUND

16 For payment to the “Foreign Service Retirement and
17 Disability Fund”, as authorized by the Foreign Service
18 Act of 1980, \$44,151,000.

19 OPERATING EXPENSES OF THE AGENCY FOR
20 INTERNATIONAL DEVELOPMENT

21 For necessary expenses to carry out the provisions
22 of section 667, ~~(25) \$501,760,000~~ \$494,080,000.

1 OPERATING EXPENSES OF THE AGENCY FOR INTER-
 2 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
 3 GENERAL

4 For necessary expenses to carry out the provisions
 5 of section 667, ~~(26)\$39,118,000~~ \$38,518,940, which sum
 6 shall be available for the Office of the Inspector General
 7 of the Agency for International Development(27): *Pro-*
 8 *vided, That except as may be required by an emergency*
 9 *evacuation affecting the United States diplomatic missions*
 10 *of which they are a component element, none of the funds*
 11 *in this Act, or any other Act, may be used to relocate the*
 12 *overseas Regional Offices of the Inspector General to a loca-*
 13 *tion within the United States without the express approval*
 14 *of the Inspector General: Provided further, That the total*
 15 *number of positions authorized for the Office of Inspector*
 16 *General in Washington and overseas shall be not less than*
 17 *two hundred and fifty-one at September 30, 1994.*

18 HOUSING GUARANTY PROGRAM ACCOUNT

19 For the subsidy cost, as defined in section 13201 of
 20 the Budget Enforcement Act of 1990, of guaranteed loans
 21 authorized by sections 221 and 222 of the Foreign Assist-
 22 ance Act of 1961, \$16,078,000: *Provided, That these*
 23 *funds are available to subsidize total loan principal*
 24 ~~(28)~~*and interest, any part of which is to be guaranteed,*
 25 *not to exceed \$110,000,000: Provided further, That these*
 26 *funds are available to subsidize loan principal, 100 percent*

1 of which shall be guaranteed, pursuant to the authority
 2 of such sections: *Provided further*, That the President shall
 3 enter into commitments to guarantee such loans in the
 4 full amount provided under this heading, subject to the
 5 availability of qualified applicants for such guarantees. In
 6 addition, for administrative expenses to carry out guaran-
 7 teed loan programs, \$8,239,000, all of which may be
 8 transferred to and merged with the appropriation for Op-
 9 erating Expenses of the Agency for International
 10 Development**(29)**: *Provided further*, That commitments to
 11 guarantee loans under this heading may be entered into
 12 notwithstanding the second and third sentences of section
 13 222(a) and, with regard to programs for Eastern Europe,
 14 section 223(j) of the Foreign Assistance Act of 1961: *Pro-*
 15 *vided further*, That none of the funds appropriated under
 16 this heading shall be obligated except through the regular
 17 notification procedures of the Committees on Appropria-
 18 tions.

19 DEBT RESTRUCTURING

20 For the cost, as defined in section 13201 of the
 21 Budget Enforcement Act of 1990, of modifying direct
 22 loans and loan guarantees, as the President may deter-
 23 mine, for which funds have been appropriated or otherwise
 24 made available for programs within the International Af-
 25 fairs Budget Function 150, \$7,000,000, to remain avail-
 26 able until expended.

ECONOMIC SUPPORT FUND

1
2 For necessary expenses to carry out the provisions
3 of chapter 4 of part II, ~~(30)\$2,364,562,000~~
4 ~~\$2,280,500,000~~, to remain available until September 30,
5 1995~~(31):~~~~Provided,~~ That funds appropriated under this
6 heading that are made available for Israel shall be avail-
7 able on a grant basis as a cash transfer and shall be dis-
8 bursed within thirty days of enactment of this Act or by
9 October 31, 1993, whichever is later: *Provided further,*
10 That funds appropriated under this heading that are made
11 available for Egypt shall be provided on a grant basis, and
12 of which sum cash transfer assistance may be provided
13 with the understanding that Egypt will undertake signifi-
14 cant economic reforms which are additional to those which
15 were undertaken in previous fiscal years: *Provided, That*
16 *of the funds appropriated under this heading, not less than*
17 *\$1,200,000,000 shall be available only for Israel, which sum*
18 *shall be available on a grant basis as a cash transfer and*
19 *shall be disbursed within thirty days of enactment of this*
20 *Act or by October 31, 1993, whichever is later: Provided*
21 *further, That not less than \$815,000,000 shall be available*
22 *only for Egypt, which sum shall be provided on a grant*
23 *basis, and of which sum cash transfer assistance may be*
24 *provided, with the understanding that Egypt will undertake*
25 *significant economic reforms which are additional to those*

1 *which were undertaken in previous fiscal years, and of*
2 *which not less than \$200,000,000 shall be provided as Com-*
3 *modity Import Program assistance: Provided further, That*
4 *in exercising the authority to provide cash transfer assist-*
5 *ance for Israel and Egypt, the President shall ensure that*
6 *the level of such assistance does not cause an adverse im-*
7 *pact on the total level of nonmilitary exports from the*
8 *United States to each such country: Provided further, That*
9 *it is the sense of the Congress that the recommended levels*
10 *of assistance for Egypt and Israel are based in great*
11 *measure upon their continued participation in the Camp*
12 *David Accords and upon the Egyptian-Israeli peace*
13 *treaty(32): Provided further, That not less than*
14 *\$15,000,000 of the funds appropriated under this heading*
15 *shall be made available for Cyprus to be used only for schol-*
16 *arships, bicommunal projects, and measures aimed at the*
17 *reunification of the island and designed to reduce tensions,*
18 *and promote peace and cooperation between the two com-*
19 *munities on Cyprus: Provided further, That not less than*
20 *\$7,000,000 of the funds appropriated under this heading*
21 *shall be made available for the Middle East Regional Co-*
22 *operation program: Provided further, That none of the*
23 *funds appropriated under this heading shall be made avail-*
24 *able for Zaire: Provided further, That not more than*
25 *\$50,000,000 of the funds appropriated under this heading*

1 may be made available to finance tied-aid credits, unless
 2 the President determines it is in the national interest to
 3 provide in excess of \$50,000,000 and so notifies the Com-
 4 mittees on Appropriations through the regular notification
 5 procedures of the Committees on Appropriations: *Provided*
 6 *further*, That none of the funds made available or limited
 7 by this Act may be used for tied-aid credits or tied-aid
 8 grants except through the regular notification procedures
 9 of the Committees on Appropriations: *Provided further*,
 10 That none of the funds appropriated by this Act to carry
 11 out the provisions of chapters 1 and 10 of part I of the
 12 Foreign Assistance Act of 1961 may be used for tied-aid
 13 credits: *Provided further*, That as used in this heading the
 14 term “tied-aid credits” means any credit, within the mean-
 15 ing of section 15(h)(1) of the Export-Import Bank Act
 16 of 1945, which is used for blended or parallel financing,
 17 as those terms are defined by sections 15(h) (4) and (5),
 18 respectively, of such Act: *Provided further*, That funds ap-
 19 propriated under this heading shall remain available until
 20 September 30, 1995.

21 **~~(33)~~INTERNATIONAL FUND FOR IRELAND**

22 For necessary expenses to carry out the provisions
 23 of part I of the Foreign Assistance Act of 1961,
 24 \$19,600,000, which shall be available for the United
 25 States contribution to the International Fund for Ireland

1 and shall be made available in accordance with the provi-
 2 sions of the Anglo-Irish Agreement Support Act of 1986
 3 (~~Public Law 99-415~~): *Provided*, That such amount shall
 4 be expended at the minimum rate necessary to make time-
 5 ly payment for projects and activities: *Provided further*,
 6 That funds made available under this heading shall re-
 7 main available until expended.

8 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
 9 STATES

10 (a) For necessary expenses to carry out the provisions
 11 of the Foreign Assistance Act of 1961 and the Support
 12 for East European Democracy (SEED) Act of 1989,
 13 ~~(\$34)\$400,000,000~~ \$380,000,000, to remain available until
 14 expended, which shall be available, notwithstanding any
 15 other provision of law, for economic assistance ~~(35)~~and
 16 *for related programs* for Eastern Europe and the Baltic
 17 States.

18 (b) Funds appropriated under this heading or in prior
 19 appropriations Acts that are or have been made available
 20 for an Enterprise Fund may be deposited by such Fund
 21 in interest-bearing accounts prior to the Fund's disburse-
 22 ment of such funds for program purposes. The Fund may
 23 retain for such program purposes any interest earned on
 24 such deposits without returning such interest to the Treas-
 25 ury of the United States and without further appropria-
 26 tion by the Congress. Funds made available for Enterprise

1 Funds shall be expended at the minimum rate necessary
2 to make timely payment for projects and activities.

3 (c) Funds appropriated under this heading shall be
4 considered to be economic assistance under the Foreign
5 Assistance Act of 1961 for purposes of making available
6 the administrative authorities contained in that Act for
7 the use of economic assistance.

8 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
9 THE FORMER SOVIET UNION

10 For necessary expenses to carry out the provisions
11 of chapter 11 of part I of the Foreign Assistance Act of
12 1961 and the FREEDOM Support Act, for assistance for
13 the new independent states of the former Soviet Union
14 and for related programs, ~~(36)~~\$903,820,000
15 \$603,820,000, to remain available until expended: *Pro-*
16 *vided*, That the provisions of 498B(j) of the Foreign As-
17 sistance Act of 1961 shall apply to funds appropriated by
18 this paragraph.

19 INDEPENDENT AGENCIES

20 AFRICAN DEVELOPMENT FOUNDATION

21 For necessary expenses to carry out the provisions
22 of title V of the International Security and Development
23 Cooperation Act of 1980, Public Law 96–533, and to
24 make such contracts and commitments without regard to
25 fiscal year limitations, as provided by section 9104, title
26 31, United States Code, \$16,905,000: *Provided*, That,

1 when, with the permission of the President of the Founda-
2 tion, funds made available to a grantee under this heading
3 are invested pending disbursement, the resulting interest
4 is not required to be deposited in the United States Treas-
5 ury if the grantee uses the resulting interest for the pur-
6 pose for which the grant was made: *Provided further, That*
7 *this provision applies with respect to both interest earned*
8 *before and interest earned after the enactment of this pro-*
9 *vision (37): Provided further, That notwithstanding sec-*
10 *tion 505(a)(2) of the African Development Foundation Act,*
11 *in exceptional circumstances the board of directors of the*
12 *Foundation may waive the dollar limitation contained in*
13 *that section with respect to a project: Provided further, That*
14 *the Foundation shall provide a report to the Committees*
15 *on Appropriations after each time such waiver authority*
16 *is exercised.*

17 INTER-AMERICAN FOUNDATION

18 For expenses necessary to carry out the functions of
19 the Inter-American Foundation in accordance with the
20 provisions of section 401 of the Foreign Assistance Act
21 of 1969, and to make such contracts and commitments
22 without regard to fiscal year limitations, as provided by
23 section 9104, title 31, United States Code, (38)
24 ~~\$30,340,000~~ \$30,960,000.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION
2 PROGRAM ACCOUNT

3 For the subsidy cost as defined in section 13201 of
4 the Budget Enforcement Act of 1990, of direct and guar-
5 anteed loans authorized by section 234 of the Foreign As-
6 sistance Act of 1961, as follows: cost of direct and guaran-
7 teed loans, \$9,065,000. In addition, for administrative ex-
8 penses to carry out the direct and guaranteed loan pro-
9 grams, \$7,518,000: *Provided*, That the funds provided in
10 this paragraph shall be available for and apply to costs,
11 direct loan obligations and loan guaranty commitments in-
12 curred or made during the period from October 1, 1993
13 through September 30, 1995: *Provided further*, That such
14 sums are to remain available through fiscal year 2002 for
15 the disbursement of direct and guaranteed loans obligated
16 in fiscal year 1994, and through 2003 for the disburse-
17 ment of direct and guaranteed loans obligated in fiscal
18 year 1995.

19 The Overseas Private Investment Corporation is au-
20 thorized to make, without regard to fiscal year limitations,
21 as provided by 31 U.S.C. 9104, such noncredit expendi-
22 tures and commitments within the limits of funds available
23 to it and in accordance with law (including an amount for
24 official reception and representation expenses which shall
25 not exceed \$35,000) as may be necessary.

1 PEACE CORPS

2 For expenses necessary to carry out the provisions
3 of the Peace Corps Act (75 Stat. 612), \$219,745,000, in-
4 cluding the purchase of not to exceed five passenger motor
5 vehicles for administrative purposes for use outside of the
6 United States: *Provided*, That none of the funds appro-
7 priated under this heading shall be used to pay for abor-
8 tions: *Provided further*, That funds appropriated under
9 this heading shall remain available until September 30,
10 1995: *Provided further*, That not to exceed \$3,000,000
11 from amounts appropriated under this heading may be
12 transferred to the “Foreign Currency Fluctuations, Peace
13 Corps, Account”, as authorized by section 16 of the Peace
14 Corps Act, as amended.

15 DEPARTMENT OF STATE

16 INTERNATIONAL NARCOTICS CONTROL

17 For necessary expenses to carry out the provisions
18 of section 481 of the Foreign Assistance Act of 1961,
19 \$100,000,000(39): *Provided*, That during fiscal year
20 1994, the Bureau of International Narcotics Matters of the
21 Department of State may also use the authority of section
22 608 of the Foreign Assistance Act of 1961, without regard
23 to its restrictions, to receive non-lethal excess property from
24 an agency of the United States Government for the purpose
25 of providing it to a foreign country under chapter 8 of part

1 *I of that Act subject to the regular notification procedures*
2 *of the Committees on Appropriations.*

3 MIGRATION AND REFUGEE ASSISTANCE

4 For expenses, not otherwise provided for, necessary
5 to enable the Secretary of State to provide, as authorized
6 by law, a contribution to the International Committee of
7 the Red Cross and assistance to refugees, including con-
8 tributions to the Intergovernmental Committee for Migra-
9 tion and the United Nations High Commissioner for Refu-
10 gees; salaries and expenses of personnel and dependents
11 as authorized by the Foreign Service Act of 1980; allow-
12 ances as authorized by sections 5921 through 5925 of title
13 5, United States Code; hire of passenger motor vehicles;
14 and services as authorized by section 3109 of title 5,
15 United States Code; \$670,688,000~~(40)~~: *Provided, That*
16 *not less than \$80,000,000 shall be available for Soviet, East-*
17 *ern European and other refugees resettling in Israel: Pro-*
18 *vided further, That not more than \$11,500,000 of the*
19 *funds appropriated under this heading shall be available*
20 *for the administrative expenses of the Office of Refugee*
21 *Programs of the Department of State.*

22 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
23 ASSISTANCE FUND

24 For necessary expenses to carry out the provisions
25 of section 2(c) of the Migration and Refugee Assistance
26 Act of 1962, as amended (22 U.S.C. 260(c)),

1 ~~(41)\$19,261,000~~ \$49,261,000, to remain available until
 2 expended: *Provided*, That the funds made available under
 3 this heading are appropriated notwithstanding the provi-
 4 sions contained in section 2(c)(2) of the Migration and
 5 Refugee Assistance Act of 1962 which would limit the
 6 amount of funds which could be appropriated for this pur-
 7 pose.

8 ANTI-TERRORISM ASSISTANCE

9 For necessary expenses to carry out the provisions
 10 of chapter 8 of part II of the Foreign Assistance Act of
 11 1961, \$15,244,000.

12 TITLE III—MILITARY ASSISTANCE

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 INTERNATIONAL MILITARY EDUCATION AND TRAINING

15 For necessary expenses to carry out the provisions
 16 of section 541 of the Foreign Assistance Act of 1961,
 17 \$21,250,000: *Provided*, That up to \$300,000 of the funds
 18 appropriated under this heading may be made available
 19 for grant financed military education and training for any
 20 country whose annual per capita GNP exceeds \$2,349 on
 21 the condition that that country agrees to fund from its
 22 own resources the transportation cost and living allow-
 23 ances of its students: *Provided further*, That the civilian
 24 personnel for whom military education and training may
 25 be provided under this heading may also include members
 26 of national legislatures who are responsible for the over-

1 sight and management of the military: *Provided further,*
 2 That none of the funds appropriated under this heading
 3 shall be available for Indonesia and Zaire.

4 FOREIGN MILITARY FINANCING PROGRAM

5 For expenses necessary for grants to enable the
 6 President to carry out the provisions of section 23 of the
 7 Arms Export Control Act, ~~(42)\$3,175,000,000~~
 8 ~~\$3,123,558,000(43)~~: *Provided, That funds appropriated*
 9 *by this paragraph that are made available for Israel shall*
 10 *be available as grants and shall be disbursed within thirty*
 11 *days of enactment of this Act or by October 31, 1993,*
 12 *whichever is later: Provided further, That funds appro-*
 13 *riated by this paragraph that are made available for*
 14 *Egypt shall be available as grants: Provided, That of the*
 15 *funds appropriated by this paragraph not less than*
 16 *\$1,800,000,000 shall be available for grants only for Israel,*
 17 *and not less than \$1,300,000,000 shall be available for*
 18 *grants only for Egypt: Provided further, That the funds ap-*
 19 *propriated by this paragraph for Israel shall be disbursed*
 20 *within thirty days of enactment of this Act or by October*
 21 *31, 1993, whichever is later: Provided further, That to the*
 22 *extent that the Government of Israel requests that funds be*
 23 *used for such purposes, grants made available for Israel by*
 24 *this paragraph shall, as agreed by Israel and the United*
 25 *States, be available for advanced fighter aircraft programs*
 26 *or for other advanced weapons systems, as follows: (1) up*

1 *to \$150,000,000 shall be available for research and develop-*
2 *ment in the United States; and (2) not less than*
3 *\$475,000,000 shall be available for the procurement in Is-*
4 *rael of defense articles and defense services, including re-*
5 *search and development. Provided further, That funds*
6 *made available under this paragraph shall be nonrepayable*
7 *notwithstanding any requirement in section 23 of the*
8 *Arms Export Control Act(44): Provided further, That*
9 *none of the funds herein shall be obligated for the Foreign*
10 *Military Financing Program for Egypt until the Secretary*
11 *of State certifies to Congress that all United States citizens*
12 *being detained in Egypt are receiving or have received fair*
13 *trials and due process. The President may waive this provi-*
14 *sion if he determines it is in the national interest and so*
15 *advises Congress.*

16 For the cost, as defined in section 13201 of the
17 Budget Enforcement Act of 1990, of direct loans author-
18 ized by section 23 of the Arms Export Control Act as fol-
19 lows: cost of direct loans, \$46,530,000: *Provided, That*
20 *these funds are available to subsidize gross obligations for*
21 *the principal amount of direct loans of not to exceed*
22 *\$769,500,000: Provided further, That the rate of interest*
23 *charged on such loans shall be not less than the current*
24 *average market yield on outstanding marketable obliga-*
25 *tions of the United States of comparable maturities(45):*

1 *Provided further, That funds appropriated under this*
2 *heading shall be made available for Portugal, Greece and*
3 *Turkey only on a loan basis: Provided further, That the*
4 *principal amount of loans made available for Greece and*
5 *Turkey shall be made available according to a 7 to 10*
6 *ratio: Provided further, That funds appropriated under this*
7 *heading shall be made available for Greece, Portugal, and*
8 *Turkey only on a loan basis, and the principal amount of*
9 *direct loans for each country shall not exceed the following:*
10 *\$283,500,000 only for Greece, \$81,000,000 only for Por-*
11 *tugal, and \$405,000,000 only for Turkey.*

12 None of the funds made available under this heading
13 shall be available to finance the procurement of defense
14 articles, defense services, or design and construction serv-
15 ices that are not sold by the United States Government
16 under the Arms Export Control Act unless the foreign
17 country proposing to make such procurements has first
18 signed an agreement with the United States Government
19 specifying the conditions under which such procurements
20 may be financed with such funds: *Provided, That all coun-*
21 *try and funding level increases in allocations shall be sub-*
22 *mitted through the regular notification procedures of sec-*
23 *tion 515 of this Act: Provided further, That funds made*
24 *available under this heading shall be obligated upon appor-*
25 *tionment in accordance with paragraph (5)(C) of title 31,*

1 United States Code, section 1501(a): *Provided further,*
2 That none of the funds appropriated under this heading
3 shall be available for Zaire, Sudan, Liberia, Guatemala,
4 Peru, and Malawi: *Provided further,* That not more than
5 \$100,000,000 of the funds made available under this
6 heading shall be available for use in financing the procure-
7 ment of defense articles, defense services, or design and
8 construction services that are not sold by the United
9 States Government under the Arms Export Control Act
10 to countries other than Israel and Egypt: *Provided further,*
11 That only those countries for which assistance was justi-
12 fied for the “Foreign Military Sales Financing Program”
13 in the fiscal year 1989 congressional presentation for secu-
14 rity assistance programs may utilize funds made available
15 under this heading for procurement of defense articles, de-
16 fense services or design and construction services that are
17 not sold by the United States Government under the Arms
18 Export Control Act(46): *Provided further, That, subject*
19 *to the regular notification procedures of the Committees on*
20 *Appropriations, funds made available under this heading*
21 *for the cost of direct loans may also be used to supplement*
22 *the funds available under this heading for necessary ex-*
23 *penses for grants if countries specified under this heading*
24 *as eligible for such direct loans decline to utilize such loans:*
25 *Provided further,* That funds appropriated under this

1 heading shall be expended at the minimum rate necessary
2 to make timely payment for defense articles and services:
3 *Provided further*, That the Department of Defense shall
4 conduct during the current fiscal year nonreimbursable
5 audits of private firms whose contracts are made directly
6 with foreign governments and are financed with funds
7 made available under this heading (as well as subcontractors thereunder) as requested by the Defense Security Assistance Agency: *Provided further*, That not more than
10 \$23,558,000 of the funds appropriated under this heading
11 may be obligated for necessary expenses, including the
12 purchase of passenger motor vehicles for replacement only
13 for use outside of the United States, for the general costs
14 of administering military assistance and sales: *Provided further*, That not more than \$290,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the
18 Department of Defense during the fiscal year 1994 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the
21 regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading, and no employee of the Defense Security Assistance Agency, may be used to facili-

1 tate the transport of aircraft to commercial arms sales
2 shows.

3 SPECIAL DEFENSE ACQUISITION FUND

4 Notwithstanding section 51 of the Arms Export Con-
5 trol Act, collections in excess of obligational authority pro-
6 vided in prior appropriations Acts shall be deposited in
7 the Treasury as miscellaneous receipts~~(47)~~: *Provided,*
8 *That notwithstanding any provision of Public Law 102–*
9 *391, not to exceed \$160,000,000 of the obligational author-*
10 *ity provided in that Act under the heading “Special Defense*
11 *Acquisition Fund” may be obligated pursuant to section*
12 *51(c)(2) of the Arms Export Control Act.*

13 PEACEKEEPING OPERATIONS

14 For necessary expenses to carry out the provisions
15 of section 551 of the Foreign Assistance Act of 1961,
16 ~~(48)\$75,623,000~~ \$62,500,000.

17 NONPROLIFERATION AND DISARMAMENT FUND

18 For necessary expenses for a “Nonproliferation and
19 Disarmament Fund”, \$10,000,000, to remain available
20 until expended, to promote bilateral and multilateral ac-
21 tivities: *Provided,* That such funds may be used pursuant
22 to the authorities contained in section 504 of the FREE-
23 DOM Support Act: *Provided further,* That such funds may
24 also be used for such countries other than the new inde-
25 pendent states of the former Soviet Union and inter-
26 national organizations when it is in the national security

1 interest of the United States to do so: *Provided further*,
2 That funds appropriated under this heading may be made
3 available notwithstanding any other provision of law: *Pro-*
4 *vided further*, That funds appropriated under this heading
5 shall be subject to the regular notification procedures of
6 the Committees on Appropriations.

7 TITLE IV—EXPORT ASSISTANCE

8 EXPORT-IMPORT BANK OF THE UNITED STATES

9 The Export-Import Bank of the United States is au-
10 thorized to make such expenditures within the limits of
11 funds and borrowing authority available to such corpora-
12 tion, and in accordance with law, and to make such con-
13 tracts and commitments without regard to fiscal year limi-
14 tations, as provided by section 104 of the Government
15 Corporation Control Act, as may be necessary in carrying
16 out the program for the current fiscal year for such cor-
17 poration: *Provided*, That none of the funds available dur-
18 ing the current fiscal year may be used to make expendi-
19 tures, contracts, or commitments for the export of nuclear
20 equipment, fuel, or technology to any country other than
21 a nuclear-weapon State as defined in article IX of the
22 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
23 ble to receive economic or military assistance under this
24 Act that has detonated a nuclear explosive after the date
25 of enactment of this Act.

SUBSIDY APPROPRIATION

1
2 For the cost of direct loans, loan guarantees, insur-
3 ance, and tied-aid grants as authorized by section 10 of
4 the Export-Import Bank Act of 1945, as amended,
5 ~~(49)\$700,000,000~~ *\$1,000,000,000* ~~(50)~~*to remain avail-*
6 *able until September 30, 1995: Provided, That such costs,*
7 *including the cost of modifying such loans, shall be as de-*
8 *fin ed in section 502 of the Congressional Budget Act of*
9 *1974: Provided further, That such sums shall remain*
10 *available until 2009 for the disbursement of direct loans,*
11 *loan guarantees, insurance and tied-aid grants obligated*
12 *in* ~~(51)fiscal year 1994~~ *fiscal years 1994 and 1995: Pro-*
13 *vided further, That up to \$50,000,000 of funds appro-*
14 *priated by this paragraph shall remain available until ex-*
15 *pended and may be used for tied-aid grant purposes: Pro-*
16 *vided further, That none of the funds appropriated by this*
17 *paragraph may be used for tied-aid credits or grants ex-*
18 *cept through the regular notification procedures of the*
19 *Committees on Appropriations: Provided further, That*
20 *funds appropriated by this paragraph are made available*
21 *notwithstanding section 2(b)(2) of the Export-Import*
22 *Bank Act of 1945, in connection with the purchase or*
23 *lease of any product by any East European country, any*
24 *Baltic State, or any agency or national thereof.*

1 ADMINISTRATIVE EXPENSES

2 For administrative expenses to carry out the direct
3 and guaranteed loan and insurance programs (to be com-
4 puted on an accrual basis), including hire of passenger
5 motor vehicles and services as authorized by 5 U.S.C.
6 3109, and not to exceed \$20,000 for official reception and
7 representation expenses for members of the Board of Di-
8 rectors, \$45,369,000: *Provided*, That necessary expenses
9 (including special services performed on a contract or fee
10 basis, but not including other personal services) in connec-
11 tion with the collection of moneys owed the Export-Import
12 Bank, repossession or sale of pledged collateral or other
13 assets acquired by the Export-Import Bank in satisfaction
14 of moneys owed the Export-Import Bank, or the investiga-
15 tion or appraisal of any property, or the evaluation of the
16 legal or technical aspects of any transaction for which an
17 application for a loan, guarantee or insurance commitment
18 has been made, shall be considered nonadministrative ex-
19 penses for the purposes of this heading.

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 TRADE AND DEVELOPMENT AGENCY

22 For necessary expenses to carry out the provisions
23 of section 661 of the Foreign Assistance Act of 1961,
24 \$40,000,000.

1 TITLE V—GENERAL PROVISIONS

2 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

3 SEC. 501. Except for the appropriations entitled
4 “International Disaster Assistance”, and “United States
5 Emergency Refugee and Migration Assistance Fund”, not
6 more than 15 per centum of any appropriation item made
7 available by this Act shall be obligated during the last
8 month of availability.

9 PROHIBITION OF BILATERAL FUNDING FOR

10 INTERNATIONAL FINANCIAL INSTITUTIONS

11 SEC. 502. None of the funds contained in title II of
12 this Act may be used to carry out the provisions of section
13 209(d) of the Foreign Assistance Act of 1961.

14 LIMITATION ON RESIDENCE EXPENSES

15 SEC. 503. Of the funds appropriated or made avail-
16 able pursuant to this Act, not to exceed \$126,500 shall
17 be for official residence expenses of the Agency for Inter-
18 national Development during the current fiscal year: *Pro-*
19 *vided*, That appropriate steps shall be taken to assure
20 that, to the maximum extent possible, United States-
21 owned foreign currencies are utilized in lieu of dollars.

22 LIMITATION ON EXPENSES

23 SEC. 504. Of the funds appropriated or made avail-
24 able pursuant to this Act, not to exceed \$5,000 shall be
25 for entertainment expenses of the Agency for International
26 Development during the current fiscal year.

1 LIMITATION ON REPRESENTATIONAL ALLOWANCES

2 SEC. 505. Of the funds appropriated or made avail-
3 able pursuant to this Act, not to exceed \$95,000 shall be
4 available for representation allowances for the Agency for
5 International Development during the current fiscal year:
6 *Provided*, That appropriate steps shall be taken to assure
7 that, to the maximum extent possible, United States-
8 owned foreign currencies are utilized in lieu of dollars:
9 *Provided further*, That of the funds made available by this
10 Act for general costs of administering military assistance
11 and sales under the heading “Foreign Military Financing
12 Program”, not to exceed \$2,000 shall be available for en-
13 tertainment expenses and not to exceed \$50,000 shall be
14 available for representation allowances: *Provided further*,
15 That of the funds made available by this Act under the
16 heading “International Military Education and Training”,
17 not to exceed \$50,000 shall be available for entertainment
18 allowances: *Provided further*, That of the funds made
19 available by this Act for the Inter-American Foundation,
20 not to exceed \$2,000 shall be available for entertainment
21 and representation allowances: *Provided further*, That of
22 the funds made available by this Act for the Peace Corps,
23 not to exceed a total of \$4,000 shall be available for enter-
24 tainment expenses: *Provided further*, That of the funds
25 made available by this Act under the heading “Trade and

1 Development Agency”, not to exceed \$2,000 shall be avail-
2 able for representation and entertainment allowances.

3 PROHIBITION ON FINANCING NUCLEAR GOODS

4 SEC. 506. None of the funds appropriated or made
5 available (other than funds for “International Organiza-
6 tions and Programs”) pursuant to this Act, for carrying
7 out the Foreign Assistance Act of 1961, may be used, ex-
8 cept for purposes of nuclear safety, to finance the export
9 of nuclear equipment, fuel, or technology.

10 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
11 COUNTRIES

12 SEC. 507. None of the funds appropriated or other-
13 wise made available pursuant to this Act shall be obligated
14 or expended to finance directly any assistance or repara-
15 tions to Cuba, Iraq, Libya, the Socialist Republic of Viet-
16 nam, Iran, Serbia, Sudan, or Syria: *Provided*, That for
17 purposes of this section, the prohibition on obligations or
18 expenditures shall include direct loans, credits, insurance
19 and guarantees of the Export-Import Bank or its agents.

20 MILITARY COUPS

21 SEC. 508. None of the funds appropriated or other-
22 wise made available pursuant to this Act shall be obligated
23 or expended to finance directly any assistance to any coun-
24 try whose duly elected Head of Government is deposed by
25 military coup or decree: *Provided*, That assistance may be
26 resumed to such country if the President determines and

1 reports to the Committees on Appropriations that subse-
2 quent to the termination of assistance a democratically
3 elected government has taken office.

4 TRANSFERS BETWEEN ACCOUNTS

5 SEC. 509. None of the funds made available by this
6 Act may be obligated under an appropriation account to
7 which they were not appropriated, unless the President,
8 prior to the exercise of any authority contained in the For-
9 eign Assistance Act of 1961 to transfer funds, consults
10 with and provides a written policy justification to the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate: *Provided*, That the exercise of such
13 authority shall be subject to the regular notification proce-
14 dures of the Committees on Appropriations.

15 DEOBLIGATION/REOBLIGATION AUTHORITY

16 SEC. 510. (a) Amounts certified pursuant to section
17 1311 of the Supplemental Appropriations Act, 1955, as
18 having been obligated against appropriations heretofore
19 made under the authority of the Foreign Assistance Act
20 of 1961 for the same general purpose as any of the head-
21 ings under the “Agency for International Development”
22 are, if deobligated, hereby continued available for the same
23 period as the respective appropriations under such head-
24 ings or until September 30, 1994, whichever is later, and
25 for the same general purpose, and for countries within the
26 same region as originally obligated: *Provided*, That the

1 Appropriations Committees of both Houses of the Con-
 2 gress are notified fifteen days in advance of the
 3 deobligation and reobligation of such funds in accordance
 4 with regular notification procedures of the Committees on
 5 Appropriations.

6 (b) Obligated balances of funds appropriated to carry
 7 out section 23 of the Arms Export Control Act as of the
 8 end of the fiscal year immediately preceding the current
 9 fiscal year are, if deobligated, hereby continued available
 10 during the current fiscal year for the same purpose under
 11 any authority applicable to such appropriations under this
 12 Act.

13 AVAILABILITY OF FUNDS

14 SEC. 511. No part of any appropriation contained in
 15 this Act shall remain available for obligation after the ex-
 16 piration of the current fiscal year unless expressly so pro-
 17 vided in this Act: *Provided*, That funds appropriated for
 18 the purposes of ~~(52)chapter 4~~ *chapters 1 and 8* of part
 19 I, section 667, and chapter 4 of part II of the Foreign
 20 Assistance Act of 1961, as amended, shall remain avail-
 21 able until expended if such funds are initially obligated
 22 before the expiration of their respective periods of avail-
 23 ability contained in this Act: *Provided further*, That, not-
 24 withstanding any other provision of this Act, any funds
 25 made available for the purposes of chapter 1 of part I and
 26 chapter 4 of part II of the Foreign Assistance Act of 1961

1 which are allocated or obligated for cash disbursements
2 in order to address balance of payments or economic policy
3 reform objectives, shall remain available until expended:
4 *Provided further*, That the report required by section
5 653(a) of the Foreign Assistance Act of 1961 shall des-
6 ignate for each country, to the extent known at the time
7 of submission of such report, those funds allocated for
8 cash disbursement for balance of payment and economic
9 policy reform purposes.

10 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

11 SEC. 512. No part of any appropriation contained in
12 this Act shall be used to furnish assistance to any country
13 which is in default during a period in excess of one cal-
14 endar year in payment to the United States of principal
15 or interest on any loan made to such country by the
16 United States pursuant to a program for which funds are
17 appropriated under this Act: *Provided*, That this section
18 and section 620(q) of the Foreign Assistance Act of 1961
19 shall not apply to funds made available in this Act or dur-
20 ing the current fiscal year for Nicaragua, and for any nar-
21 cotics-related assistance for Colombia, Bolivia, and Peru
22 authorized by the Foreign Assistance Act of 1961 or the
23 Arms Export Control Act.

24 COMMERCE AND TRADE

25 SEC. 513. (a) None of the funds appropriated or
26 made available pursuant to this Act for direct assistance

1 and none of the funds otherwise made available pursuant
2 to this Act to the Export-Import Bank and the Overseas
3 Private Investment Corporation shall be obligated or ex-
4 pended to finance any loan, any assistance or any other
5 financial commitments for establishing or expanding pro-
6 duction of any commodity for export by any country other
7 than the United States, if the commodity is likely to be
8 in surplus on world markets at the time the resulting pro-
9 ductive capacity is expected to become operative and if the
10 assistance will cause substantial injury to United States
11 producers of the same, similar, or competing commodity:
12 *Provided*, That such prohibition shall not apply to the Ex-
13 port-Import Bank if in the judgment of its Board of Direc-
14 tors the benefits to industry and employment in the
15 United States are likely to outweigh the injury to United
16 States producers of the same, similar, or competing com-
17 modity.

18 (b) None of the funds appropriated by this or any
19 other Act to carry out chapter 1 of part I of the Foreign
20 Assistance Act of 1961 shall be available for any testing
21 or breeding feasibility study, variety improvement or intro-
22 duction, consultancy, publication, conference, or training
23 in connection with the growth or production in a foreign
24 country of an agricultural commodity for export which
25 would compete with a similar commodity grown or pro-

1 duced in the United States: *Provided*, That this subsection
2 shall not prohibit—

3 (1) activities designed to increase food security
4 in developing countries where such activities will not
5 have a significant impact in the export of agricul-
6 tural commodities of the United States; or

7 (2) research activities intended primarily to
8 benefit American producers.

9 (c) None of the funds provided in this Act to the
10 Agency for International Development, other than funds
11 made available to carry out Caribbean Basin Initiative
12 programs under the Tariff Schedules of the United States,
13 section 1202 of title 19, United States Code, schedule 8,
14 part I, subpart B, item 807.00, shall be obligated or ex-
15 pended—

16 (1) to procure directly feasibility studies or
17 prefeasibility studies for, or project profiles of poten-
18 tial investment in, the manufacture, for export to
19 the United States or to third country markets in di-
20 rect competition with United States exports, of im-
21 port-sensitive articles as defined by section 503(c)(1)
22 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
23 2463(c)(1) (A) and (E)); or

24 (2) to assist directly in the establishment of fa-
25 cilities specifically designed for the manufacture, for

1 export to the United States or to third country mar-
2 kets in direct competition with United States ex-
3 ports, of import-sensitive articles as defined in sec-
4 tion 503(c)(1) (A) and (E) of the Tariff Act of 1930
5 (19 U.S.C. 2463(c)(1) (A) and (E)).

6 SURPLUS COMMODITIES

7 SEC. 514. The Secretary of the Treasury shall in-
8 struct the United States Executive Directors of the Inter-
9 national Bank for Reconstruction and Development, the
10 International Development Association, the International
11 Finance Corporation, the Inter-American Development
12 Bank, the International Monetary Fund, the Asian Devel-
13 opment Bank, the Inter-American Investment Corpora-
14 tion, the African Development Bank, and the African De-
15 velopment Fund to use the voice and vote of the United
16 States to oppose any assistance by these institutions,
17 using funds appropriated or made available pursuant to
18 this Act, for the production or extraction of any commod-
19 ity or mineral for export, if it is in surplus on world mar-
20 kets and if the assistance will cause substantial injury to
21 United States producers of the same, similar, or compet-
22 ing commodity.

23 NOTIFICATION REQUIREMENTS

24 SEC. 515. For the purposes of providing the Execu-
25 tive Branch with the necessary administrative flexibility,
26 none of the funds made available under this Act for “De-

1 velopment Assistance Fund”, “Population, Development
 2 Assistance”, “Development Fund for Africa”, “Inter-
 3 national organizations and programs”, ~~(53)“American~~
 4 ~~schools and hospitals abroad~~”, “Trade and development
 5 agency”, “International narcotics control”, “*Assistance for*
 6 *Eastern Europe and the Baltic States*”, “*Assistance for the*
 7 *New Independent States of the Former Soviet Union*”,
 8 “Economic support fund”, “Peacekeeping operations”,
 9 “Operating expenses of the Agency for International De-
 10 velopment”, “Operating expenses of the Agency for Inter-
 11 national Development Office of Inspector General”, “Anti-
 12 terrorism assistance”, “Foreign Military Financing Pro-
 13 gram”, “International military education and training”,
 14 “Inter-American Foundation”, “African Development
 15 Foundation”, “Peace Corps”, or “Migration and refugee
 16 assistance”, shall be available for obligation for activities,
 17 programs, projects, type of materiel assistance, countries,
 18 or other operation not justified or in excess of the amount
 19 justified to the Appropriations Committees for obligation
 20 under any of these specific headings unless the Appropria-
 21 tions Committees of both Houses of Congress are pre-
 22 viously notified fifteen days in advance: *Provided*, That the
 23 President shall not enter into any commitment of funds
 24 appropriated for the purposes of section 23 of the Arms
 25 Export Control Act for the provision of major defense

1 equipment, other than conventional ammunition, or other
2 major defense items defined to be aircraft, ships, missiles,
3 or combat vehicles, not previously justified to Congress or
4 20 per centum in excess of the quantities justified to Con-
5 gress unless the Committees on Appropriations are noti-
6 fied fifteen days in advance of such commitment: *Provided*
7 *further*, That this section shall not apply to any
8 reprogramming for an activity, program, or project under
9 chapter 1 of part I of the Foreign Assistance Act of 1961
10 of less than 20 per centum of the amount previously justi-
11 fied to the Congress for obligation for such activity, pro-
12 gram, or project for the current fiscal year: *Provided fur-*
13 *ther*, That the requirements of this section or any similar
14 provision of this Act requiring notification in accordance
15 with the regular notification procedures of the Committees
16 on Appropriations may be waived if failure to do so would
17 pose a substantial risk to human health or welfare: *Pro-*
18 *vided further*, That in case of any such waiver, notification
19 to the Congress, or the appropriate congressional commit-
20 tees, shall be provided as early as practicable, but in no
21 event later than three days after taking the action to
22 which such notification requirement was applicable, in the
23 context of the circumstances necessitating such waiver:
24 *Provided further*, That any notification provided pursuant

1 to such a waiver shall contain an explanation of the emer-
2 gency circumstances.

3 Drawdowns made pursuant to section 506(a)(2) of
4 the Foreign Assistance Act of 1961 shall be subject to the
5 regular notification procedures of the Committees on Ap-
6 propriations.

7 LIMITATION ON AVAILABILITY OF FUNDS FOR
8 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

9 SEC. 516. (a) Notwithstanding any other provision
10 of law or of this Act, none of the funds provided for
11 “International Organizations and Programs” shall be
12 available for the United States proportionate share for any
13 programs for the Palestine Liberation Organization (or for
14 projects whose purpose is to provide benefits to the Pal-
15 estine Liberation Organization or entities associated with
16 it), Libya, Iran, or, at the discretion of the President,
17 Communist countries listed in section 620(f) of the For-
18 eign Assistance Act of 1961, as amended: *Provided*, That,
19 subject to the regular notification procedures of the Com-
20 mittees on Appropriations, funds appropriated under this
21 Act or any previously enacted Act making appropriations
22 for foreign operations, export financing, and related pro-
23 grams, which are returned or not made available for orga-
24 nizations and programs because of the implementation of
25 this section or any similar provision of law, shall remain
26 available for obligation through September 30, 1995.

1 (b) The United States shall not make any voluntary
2 or assessed contribution—

3 (1) to any affiliated organization of the United
4 Nations which grants full membership as a state to
5 any organization or group that does not have the
6 internationally recognized attributes of statehood, or

7 (2) to the United Nations, if the United Na-
8 tions grants full membership as a state in the Unit-
9 ed Nations to any organization or group that does
10 not have the internationally recognized attributes of
11 statehood,

12 during any period in which such membership is effective.

13 **(55)** *(c) Subsection (a) shall cease to have effect during*
14 *fiscal year 1994 with respect to the Palestine Liberation Or-*
15 *ganization (P.L.O.), programs for the P.L.O., and pro-*
16 *grams for the benefit of entities associated with it which*
17 *accept the commitments made by the P.L.O. on September*
18 *9, 1993 if the President determines and notifies Congress*
19 *that to do so is in the national interest: Provided, That*
20 *subsection (a) shall resume full force and effect if at any*
21 *time during fiscal 1994 the President determines and so*
22 *notifies Congress that the P.L.O. has ceased to comply with*
23 *the commitments it made on September 9, 1993, or the Con-*
24 *gress, by joint resolution, determines that the P.L.O. has*

1 *ceased to comply with the commitments it made on Septem-*
2 *ber 9, 1993.*

3 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

4 SEC. 517. The Congress finds that progress on the
5 peace process in the Middle East is vitally important to
6 United States security interests in the region. The Con-
7 gress recognizes that, in fulfilling its obligations under the
8 Treaty of Peace Between the Arab Republic of Egypt and
9 the State of Israel, done at Washington on March 26,
10 1979, Israel incurred severe economic burdens. Further-
11 more, the Congress recognizes that an economically and
12 militarily secure Israel serves the security interests of the
13 United States, for a secure Israel is an Israel which has
14 the incentive and confidence to continue pursuing the
15 peace process. Therefore, the Congress declares that it is
16 the policy and the intention of the United States that the
17 funds provided in annual appropriations for the Economic
18 Support Fund which are allocated to Israel shall not be
19 less than the annual debt repayment (interest and prin-
20 cipal) from Israel to the United States Government in rec-
21 ognition that such a principle serves United States inter-
22 ests in the region.

23 PROHIBITION CONCERNING ABORTIONS AND

24 INVOLUNTARY STERILIZATION

25 SEC. 518. None of the funds made available to carry
26 out part I of the Foreign Assistance Act of 1961, as

1 amended, may be used to pay for the performance of abor-
2 tions as a method of family planning or to motivate or
3 coerce any person to practice abortions. None of the funds
4 made available to carry out part I of the Foreign Assist-
5 ance Act of 1961, as amended, may be used to pay for
6 the performance of involuntary sterilization as a method
7 of family planning or to coerce or provide any financial
8 incentive to any person to undergo sterilizations. None of
9 the funds made available to carry out part I of the Foreign
10 Assistance Act of 1961, as amended, may be used to pay
11 for any biomedical research which relates in whole or in
12 part, to methods of, or the performance of, abortions or
13 involuntary sterilization as a means of family planning.
14 None of the funds made available to carry out part I of
15 the Foreign Assistance Act of 1961, as amended, may be
16 obligated or expended for any country or organization if
17 the President certifies that the use of these funds by any
18 such country or organization would violate any of the
19 above provisions related to abortions and involuntary steri-
20 lizations. The Congress reaffirms its commitments to Pop-
21 ulation, Development Assistance and to the need for in-
22 formed voluntary family planning.

23 REPORTING REQUIREMENT

24 SEC. 519. The President shall submit to the Commit-
25 tees on Appropriations the reports required by section
26 25(a)(1) of the Arms Export Control Act.

1 SPECIAL NOTIFICATION REQUIREMENTS

2 SEC. 520. None of the funds appropriated in this Act
3 shall be obligated or expended for Afghanistan, Cambodia,
4 ~~(56)~~ *Colombia*, El Salvador, Guatemala, Haiti, Indonesia,
5 Jordan, Liberia, Malawi, ~~(57)~~ *Nicaragua*, Peru, Sudan,
6 Togo, or Zaire except as provided through the regular no-
7 tification procedures of the Committees on
8 Appropriations~~(58)~~: *Provided, That this section shall not*
9 *apply to funds appropriated by this Act to carry out the*
10 *provisions of chapter 1 of part I of the Foreign Assistance*
11 *Act of 1961 that are made available for El Salvador and*
12 *Nicaragua.*

13 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

14 SEC. 521. For the purpose of this Act, “program,
15 project, and activity” shall be defined at the Appropria-
16 tions Act account level and shall include all Appropriations
17 and Authorizations Acts earmarks, ceilings, and limita-
18 tions with the exception that for the following accounts:
19 Economic Support Fund and Foreign Military Financing
20 Program, “program, project, and activity” shall also be
21 considered to include country, regional, and central pro-
22 gram level funding within each such account; for the devel-
23 opment assistance accounts of the Agency for Inter-
24 national Development “program, project, and activity”
25 shall also be considered to include central program level
26 funding, either as (1) justified to the Congress, or (2) allo-

1 cated by the executive branch in accordance with a report,
2 to be provided to the Committees on Appropriations within
3 thirty days of enactment of this Act, as required by section
4 653(a) of the Foreign Assistance Act of 1961.

5 FAMILY PLANNING, CHILD SURVIVAL AND AIDS
6 ACTIVITIES

7 SEC. 522. Up to \$8,000,000 of the funds made avail-
8 able by this Act for assistance for family planning, health,
9 child survival, and AIDS, may be used to reimburse
10 United States Government agencies, agencies of State gov-
11 ernments, institutions of higher learning, and private and
12 voluntary organizations for the full cost of individuals (in-
13 cluding for the personal services of such individuals) de-
14 tailed or assigned to, or contracted by, as the case may
15 be, the Agency for International Development for the pur-
16 pose of carrying out family planning activities, child sur-
17 vival activities and activities relating to research on, and
18 the treatment and control of, acquired immune deficiency
19 syndrome in developing countries: *Provided*, That such in-
20 dividuals shall not be included within any personnel ceiling
21 applicable to any United States Government agency dur-
22 ing the period of detail or assignment: *Provided further*,
23 That funds appropriated by this Act that are made avail-
24 able for child survival activities or activities relating to re-
25 search on, and the treatment and control of, acquired im-
26 mune deficiency syndrome may be made available notwith-

1 standing any provision of law that restricts assistance to
 2 foreign countries: *Provided further*, That funds appro-
 3 priated by this Act that are made available for family
 4 planning activities may be made available notwithstanding
 5 section 512 of this Act and section 620(q) of the Foreign
 6 Assistance Act of 1961.

7 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
 8 COUNTRIES

9 SEC. 523. None of the funds appropriated or other-
 10 wise made available pursuant to this Act shall be obligated
 11 to finance indirectly any assistance or reparations to
 12 Cuba, Iraq, Libya, the Socialist Republic of Vietnam,
 13 Iran, Syria, North Korea, People's Republic of China, or
 14 Laos unless the President of the United States certifies
 15 that the withholding of these funds is contrary to the na-
 16 tional interest of the United States ~~(59)~~ *and that with re-*
 17 *spect to Syria, the President certifies to Congress that Syria*
 18 *does not deny its citizens or any segment of its citizens the*
 19 *right or opportunity to emigrate.*

20 RECIPROCAL LEASING

21 SEC. 524. Section 61(a) of the Arms Export Control
 22 Act is amended by striking out "1993" and inserting in
 23 lieu thereof "1994".

24 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

25 SEC. 525. Prior to providing excess Department of
 26 Defense articles in accordance with section 516(a) of the

1 Foreign Assistance Act of 1961, the Department of De-
 2 fense shall notify the Committees on Appropriations to the
 3 same extent and under the same conditions as are other
 4 committees pursuant to subsection (c) of that section: *Pro-*
 5 *vided*, That before issuing a letter of offer to sell excess
 6 defense articles under the Arms Export Control Act, the
 7 Department of Defense shall notify the Committees on
 8 Appropriations in accordance with the regular notification
 9 procedures of such Committees: *Provided further*, That
 10 such Committees shall also be informed of the original ac-
 11 quisition cost of such defense articles.

12 AUTHORIZATION REQUIREMENT

13 SEC. 526. Funds appropriated by ~~(60)~~title I through
 14 ~~✓~~ *titles I through IV* of this Act may be obligated and
 15 expended ~~(61)~~subject to *notwithstanding* section 10 of
 16 Public Law 91-672 ~~(62)~~and section 15 of the State De-
 17 ~~partment Basic Authorities Act of 1956~~~~(63)~~: *Provided*,
 18 *That the Secretary of the Treasury is authorized to agree*
 19 *on behalf of the United States to participate in the tenth*
 20 *replenishment of the resources of the International Develop-*
 21 *ment Association, the fifth replenishment of the Asian De-*
 22 *velopment Fund, and the replenishment of the permanent*
 23 *Global Environment Facility, subject to obtaining the nec-*
 24 *essary appropriations.*

DEPLETED URANIUM

1
2 SEC. 527. None of the funds provided in this or any
3 other Act may be made available to facilitate in any way
4 the sale of M-833 antitank shells or any comparable anti-
5 tank shells containing a depleted uranium penetrating
6 component to any country other than (1) countries which
7 are members of NATO, (2) countries which have been des-
8 ignated as a major non-NATO ally for purposes of section
9 1105 of the National Defense Authorization Act for Fiscal
10 Year 1987, or (3) Taiwan: *Provided*, That funds may be
11 made available to facilitate the sale of such shells notwith-
12 standing the limitations of this section if the President
13 determines that to do so is in the national security interest
14 of the United States.

OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES

BY INTERNATIONAL FINANCIAL INSTITUTIONS

17 SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES
18 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
19 shall instruct the United States Executive Director of each
20 international financial institution ~~(64)to vote against~~ *des-*
21 *ignated in subsection (b), and the Administrator of the*
22 *Agency for International Development shall instruct the*
23 *United States Executive Director of the International Fund*
24 *for Agriculture Development, to use the voice and vote of*
25 *the United States to oppose any loan or other use of the*
26 *funds of the respective institution to or for a country for*

1 which the Secretary of State has made a determination
2 under section 6(j) of the Export Administration Act of
3 1979.

4 (b) DEFINITION.—For purposes of this section, the
5 term “international financial institution” includes—

6 (1) the International Bank for Reconstruction
7 and Development, the International Development
8 Association, and the International Monetary Fund;
9 and

10 (2) wherever applicable, the Inter-American De-
11 velopment Bank, the Asian Development Bank, the
12 African Development Bank, the African Develop-
13 ment Fund, and the European Bank for Reconstruc-
14 tion and Development.

15 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
16 COUNTRIES

17 SEC. 529. (a) Notwithstanding any other provision
18 of law, funds appropriated for bilateral assistance under
19 any heading of this Act and funds appropriated under any
20 such heading in a provision of law enacted prior to enact-
21 ment of this Act, shall not be made available to any coun-
22 try which the President determines—

23 (1) grants sanctuary from prosecution to any
24 individual or group which has committed an act of
25 international terrorism, or

26 (2) otherwise supports international terrorism.

1 (b) The President may waive the application of sub-
2 section (a) to a country if the President determines that
3 national security or humanitarian reasons justify such
4 waiver. The President shall publish each waiver in the
5 Federal Register and, at least fifteen days before the waiv-
6 er takes effect, shall notify the Committees on Appropria-
7 tions of the waiver (including the justification for the waiv-
8 er) in accordance with the regular notification procedures
9 of the Committees on Appropriations.

10 COMMERCIAL LEASING OF DEFENSE ARTICLES

11 SEC. 530. Notwithstanding any other provision of
12 law, and subject to the regular notification requirements
13 of the Committees on Appropriations, the authority of sec-
14 tion 23(a) of the Arms Export Control Act may be used
15 to provide financing to Israel and Egypt and NATO and
16 major non-NATO allies for the procurement by leasing
17 (including leasing with an option to purchase) of defense
18 articles from United States commercial suppliers, not in-
19 cluding Major Defense Equipment (other than helicopters
20 and other types of aircraft having possible civilian applica-
21 tion), if the President determines that there are compel-
22 ling foreign policy or national security reasons for those
23 defense articles being provided by commercial lease rather
24 than by government-to-government sale under such Act.

1 COMPETITIVE INSURANCE

2 SEC. 531. All Agency for International Development
3 contracts and solicitations, and subcontracts entered into
4 under such contracts, shall include a clause requiring that
5 United States marine insurance companies have a fair op-
6 portunity to bid for marine insurance when such insurance
7 is necessary or appropriate.

8 STINGERS IN THE PERSIAN GULF REGION

9 SEC. 532. Except as provided in section 581 of the
10 Foreign Operations, Export Financing, and Related Pro-
11 grams Appropriations Act, 1990, the United States may
12 not sell or otherwise make available any Stingers to any
13 country bordering the Persian Gulf under the Arms Ex-
14 port Control Act or chapter 2 of part II of the Foreign
15 Assistance Act of 1961.

16 PROHIBITION ON LEVERAGING AND DIVERSION OF
17 UNITED STATES ASSISTANCE

18 SEC. 533. (a) None of the funds appropriated by this
19 Act may be provided to any foreign government (including
20 any instrumentality or agency thereof), foreign person, or
21 United States person in exchange for that foreign govern-
22 ment or person undertaking any action which is, if carried
23 out by the United States Government, a United States of-
24 ficial or employee, expressly prohibited by a provision of
25 United States law.

1 (b) For the purposes of this section the term “funds
2 appropriated by this Act” includes only (1) assistance of
3 any kind under the Foreign Assistance Act of 1961; and
4 (2) credits, and guaranties under the Arms Export Con-
5 trol Act.

6 (c) Nothing in this section shall be construed to
7 limit—

8 (1) the ability of the President, the Vice Presi-
9 dent, or any official or employee of the United
10 States to make statements or otherwise express their
11 views to any party on any subject;

12 (2) the ability of an official or employee of the
13 United States to express the policies of the Presi-
14 dent; or

15 (3) the ability of an official or employee of the
16 United States to communicate with any foreign
17 country government, group or individual, either di-
18 rectly or through a third party, with respect to the
19 prohibitions of this section including the reasons for
20 such prohibitions, and the actions, terms, or condi-
21 tions which might lead to the removal of the prohibi-
22 tions of this section.

23 DEBT-FOR-DEVELOPMENT

24 SEC. 534. In order to enhance the continued partici-
25 pation of nongovernmental organizations in economic as-
26 sistance activities under the Foreign Assistance Act of

1 1961, including endowments, debt-for-development and
 2 debt-for-nature exchanges, a nongovernmental organiza-
 3 tion which is a grantee or contractor of the Agency for
 4 International Development may place in interest bearing
 5 accounts funds made available under this Act or prior
 6 ~~(65)~~*or subsequent* Acts or local currencies which accrue
 7 to that organization as a result of economic assistance pro-
 8 vided under the heading “Agency for International Devel-
 9 opment” and any interest earned on such investment may
 10 be for the purpose for which the assistance was provided
 11 to that organization.

12 LOCATION OF STOCKPILES

13 SEC. 535. Section 514(b)(2) of the Foreign Assist-
 14 ance Act of 1961 is amended by striking out
 15 “\$389,000,000 for fiscal year 1993, of which amount not
 16 less than \$200,000,000 shall be available for stockpiles in
 17 Israel, and up to \$189,000,000 may be available for stock-
 18 piles in the Republic of Korea” and inserting in lieu there-
 19 of “\$200,000,000 for stockpiles in Israel for fiscal year
 20 1994~~(66)~~, and up to \$72,000,000 may be made available
 21 for stockpiles in the Republic of Korea ~~(67)~~and
 22 \$20,000,000 may be available for stockpiles in Thailand’.

23 ASSISTANCE FOR PAKISTAN

24 SEC. 536. (a) The date specified in section 620E(d)
 25 of the Foreign Assistance Act of 1961 is amended to read
 26 as follows: “September 30, 1994”.

1 (b) None of the funds appropriated in this Act shall
2 be obligated or expended for Pakistan except as provided
3 through the regular notification procedures of the Com-
4 mittees on Appropriations.

5 SEPARATE ACCOUNTS

6 SEC. 537. (a) SEPARATE ACCOUNTS FOR LOCAL
7 CURRENCIES.—(1) If assistance is furnished to the gov-
8 ernment of a foreign country under chapters 1 and 10 of
9 part I (including the Philippines Multilateral Assistance
10 Initiative) or chapter 4 of part II of the Foreign Assist-
11 ance Act of 1961 under agreements which result in the
12 generation of local currencies of that country, the Admin-
13 istrator of the Agency for International Development
14 shall—

15 (A) require that local currencies be deposited in
16 a separate account established by that government;

17 (B) enter into an agreement with that govern-
18 ment which sets forth—

19 (i) the amount of the local currencies to be
20 generated, and

21 (ii) the terms and conditions under which
22 the currencies so deposited may be utilized, con-
23 sistent with this section; and

24 (C) establish by agreement with that govern-
25 ment the responsibilities of the Agency for Inter-
26 national Development and that government to mon-

1 itor and account for deposits into and disbursements
2 from the separate account.

3 (2) USES OF LOCAL CURRENCIES.—As may be
4 agreed upon with the foreign government, local currencies
5 deposited in a separate account pursuant to subsection
6 (a), or an equivalent amount of local currencies, shall be
7 used only—

8 (A) to carry out chapters 1 or 10 of part I or
9 chapter 4 of part II (as the case may be), for such
10 purposes as—

11 (i) project and sector assistance activities,

12 or

13 (ii) debt and deficit financing; or

14 (B) for the administrative requirements of the
15 United States Government.

16 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
17 for International Development shall take all appropriate
18 steps to ensure that the equivalent of the local currencies
19 disbursed pursuant to subsection (a)(2)(A) from the sepa-
20 rate account established pursuant to subsection (a)(1) are
21 used for the purposes agreed upon pursuant to subsection
22 (a)(2).

23 (4) TERMINATION OF ASSISTANCE PROGRAMS.—
24 Upon termination of assistance to a country under chap-
25 ters 1 or 10 of part I or chapter 4 of part II (as the case

1 may be), any unencumbered balances of funds which re-
2 main in a separate account established pursuant to sub-
3 section (a) shall be disposed of for such purposes as may
4 be agreed to by the government of that country and the
5 United States Government.

6 (5) CONFORMING AMENDMENTS.—The provisions of
7 this subsection shall supersede the tenth and eleventh pro-
8 visos contained under the heading “Sub-Saharan Africa,
9 Development Assistance” as included in the Foreign Oper-
10 ations, Export Financing, and Related Programs Appro-
11 priations Act, 1989 and sections 531(d) and 609 of the
12 Foreign Assistance Act of 1961.

13 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—
14 (1) If assistance is made available to the government of
15 a foreign country, under chapters 1 or 10 of part I (includ-
16 ing the Philippines Multilateral Assistance Initiative) or
17 chapter 4 of part II of the Foreign Assistance Act of 1961,
18 as cash transfer assistance or as nonproject sector assist-
19 ance, that country shall be required to maintain such
20 funds in a separate account and not commingle them with
21 any other funds.

22 (2) APPLICABILITY OF OTHER PROVISIONS OF
23 LAW.—Such funds may be obligated and expended not-
24 withstanding provisions of law which are inconsistent with
25 the nature of this assistance including provisions which

1 are referenced in the Joint Explanatory Statement of the
2 Committee of Conference accompanying House Joint Res-
3 olution 648 (H. Report No. 98–1159).

4 (3) NOTIFICATION.—At least fifteen days prior to ob-
5 ligating any such cash transfer or nonproject sector assist-
6 ance, the President shall submit a notification through the
7 regular notification procedures of the Committees on Ap-
8 propriations, which shall include a detailed description of
9 how the funds proposed to be made available will be used,
10 with a discussion of the United States interests that will
11 be served by the assistance (including, as appropriate, a
12 description of the economic policy reforms that will be pro-
13 moted by such assistance).

14 (4) EXEMPTION.—Nonproject sector assistance funds
15 may be exempt from the requirements of subsection (b)(1)
16 only through the notification procedures of the Commit-
17 tees on Appropriations.

18 COMPENSATION FOR UNITED STATES EXECUTIVE
19 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

20 SEC. 538. (a) No funds appropriated by this Act may
21 be made as payment to any international financial institu-
22 tion while the United States Executive Director to such
23 institution is compensated by the institution at a rate
24 which, together with whatever compensation such Director
25 receives from the United States, is in excess of the rate
26 provided for an individual occupying a position at level IV

1 of the Executive Schedule under section 5315 of title 5,
2 United States Code, or while any alternate United States
3 Director to such institution is compensated by the institu-
4 tion at a rate in excess of the rate provided for an individ-
5 ual occupying a position at level V of the Executive Sched-
6 ule under section 5316 of title 5, United States Code.

7 (b) For purposes of this section, “international finan-
8 cial institutions” are: the International Bank for Recon-
9 struction and Development, the Inter-American Develop-
10 ment Bank, the Asian Development Bank, the Asian De-
11 velopment Fund, the African Development Bank, the Afri-
12 can Development Fund, the International Monetary Fund,
13 and the European Bank for Reconstruction and Develop-
14 ment.

15 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST

16 IRAQ

17 SEC. 539. (a) DENIAL OF ASSISTANCE.—None of the
18 funds appropriated or otherwise made available pursuant
19 to this Act to carry out the Foreign Assistance Act of
20 1961 (including title IV of chapter 2 of part I, relating
21 to the Overseas Private Investment Corporation) or the
22 Arms Export Control Act may be used to provide assist-
23 ance to any country that is not in compliance with the
24 United Nations Security Council sanctions against Iraq
25 unless the President determines and so certifies to the
26 Congress that—

1 (1) such assistance is in the national interest of
2 the United States;

3 (2) such assistance will directly benefit the
4 needy people in that country; or

5 (3) the assistance to be provided will be human-
6 itarian assistance for foreign nationals who have fled
7 Iraq and Kuwait.

8 (b) IMPORT SANCTIONS.—If the President considers
9 that the taking of such action would promote the effective-
10 ness of the economic sanctions of the United Nations and
11 the United States imposed with respect to Iraq, and is
12 consistent with the national interest, the President may
13 prohibit, for such a period of time as he considers appro-
14 priate, the importation into the United States of any or
15 all products of any foreign country that has not prohib-
16 ited—

17 (1) the importation of products of Iraq into its
18 customs territory, and

19 (2) the export of its products to Iraq.

20 POW/MIA MILITARY DRAWDOWN

21 SEC. 540. (a) Notwithstanding any other provision
22 of law, the President may direct the drawdown, without
23 reimbursement by the recipient, of defense articles from
24 the stocks of the Department of Defense, defense services
25 of the Department of Defense, and military education and
26 training, of an aggregate value not to exceed \$15,000,000

1 in fiscal year 1994, as may be necessary to carry out sub-
2 section (b).

3 (b) Such defense articles, services and training may
4 be provided to Cambodia and Laos, under subsection (a)
5 as the President determines are necessary to support ef-
6 forts to locate and repatriate members of the United
7 States Armed Forces and civilians employed directly or in-
8 directly by the United States Government who remain un-
9 accounted for from the Vietnam War, and to ensure the
10 safety of United States Government personnel engaged in
11 such cooperative efforts and to support United States De-
12 partment of Defense-sponsored humanitarian projects as-
13 sociated with the POW/MIA efforts. Any aircraft shall be
14 provided under this section only to Laos and only on a
15 lease or loan basis, but may be provided at no cost not-
16 withstanding section 61 of the Arms Export Control Act
17 and may be maintained with defense articles, services and
18 training provided under this section.

19 (c) The President shall, within sixty days of the end
20 of any fiscal year in which the authority of subsection (a)
21 is exercised, submit a report to the Congress which identi-
22 fies the articles, services, and training drawn down under
23 this section.

24 (d) There are authorized to be appropriated to the
25 President such sums as may be necessary to reimburse

1 the applicable appropriation, fund, or account for defense
2 articles, defense services, and military education and
3 training provided under this section.

4 MEDITERRANEAN EXCESS DEFENSE ARTICLES

5 SEC. 541. During fiscal year 1994, the provisions of
6 section 573(e) of the Foreign Operations, Export Financ-
7 ing, and Related Programs Appropriations Act, 1990,
8 shall be applicable, for the period specified therein, to ex-
9 cess defense articles made available under sections 516
10 and 519 of the Foreign Assistance Act of 1961.

11 PRIORITY DELIVERY OF EQUIPMENT

12 SEC. 542. Notwithstanding any other provision of
13 law, the delivery of excess defense articles that are to be
14 transferred on a grant basis under section 516 of the For-
15 eign Assistance Act to NATO allies and to major non-
16 NATO allies on the southern and southeastern flank of
17 NATO shall be given priority to the maximum extent fea-
18 sible over the delivery of such excess defense articles to
19 other countries.

20 ISRAEL DRAWDOWN

21 SEC. 543. Section 599B(a) of the Foreign Oper-
22 ations, Export Financing, and Related Programs Appro-
23 priations Act, 1991 (as amended by Public Law 102-145,
24 as amended, and Public Law 102-391), is further amend-
25 ed—

1 (a) by striking out “fiscal year 1993” and in-
 2 serting in lieu thereof “fiscal year 1994”; and

3 (b) by striking out “Appropriations Act, 1993”
 4 and inserting in lieu thereof “Appropriations Act,
 5 1994”.

6 CASH FLOW FINANCING

7 SEC. 544. For each country that has been approved
 8 for cash flow financing (as defined in section 25(d) of the
 9 Arms Export Control Act, as added by section 112(b) of
 10 Public Law 99–83) under the Foreign Military Financing
 11 Program, any Letter of Offer and Acceptance or other
 12 purchase agreement, or any amendment thereto, for a pro-
 13 curement in excess of \$100,000,000 that is to be financed
 14 in whole or in part with funds made available under this
 15 Act shall be submitted through the regular notification
 16 procedures to the Committees on Appropriations.

17 ~~(68)~~RESCISSION

18 ~~SEC. 545. Of the unexpended balances of funds (in-~~
 19 ~~cluding earmarked funds) made available for fiscal years~~
 20 ~~1987 through 1993 to carry out the provisions of chapter~~
 21 ~~4 of part II of the Foreign Assistance Act of 1961,~~
 22 ~~\$185,000,000 are rescinded.~~

23 RESCISSIONS

24 *SEC. 545. (a) Of the unexpended balances of funds (in-*
 25 *cluding earmarked funds) made available for fiscal years*
 26 *1987 through 1993 to carry out the provisions of chapter*

1 4 of part II of the Foreign Assistance Act of 1961,
2 \$250,000,000 are rescinded.

3 (b) Of the unexpended balances of funds (including
4 earmarked funds) appropriated for fiscal year 1993 and
5 prior fiscal years to carry out the provisions of sections 103
6 through 106 of the Foreign Assistance Act of 1961,
7 \$5,100,000 are rescinded.

8 AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-
9 ICAN FOUNDATION AND THE AFRICAN DEVELOP-
10 MENT FOUNDATION

11 SEC. 546. Unless expressly provided to the contrary,
12 provisions of this or any other Act, including provisions
13 contained in prior Acts authorizing or making appropria-
14 tions for foreign operations, export financing, and related
15 programs, shall not be construed to prohibit activities au-
16 thorized by or conducted under the Peace Corps Act, the
17 Inter-American Foundation Act, or the African Develop-
18 ment Foundation Act. The appropriate agency shall
19 promptly report to the Committees on Appropriations
20 whenever it is conducting activities or is proposing to con-
21 duct activities in a country for which assistance is prohib-
22 ited.

23 IMPACT ON JOBS IN THE UNITED STATES

24 SEC. 547. None of the funds appropriated by this Act
25 may be obligated or expended to provide—

1 (a) any financial incentive to a business enter-
2 prise currently located in the United States for the
3 purpose of inducing such an enterprise to relocate
4 outside the United States if such incentive or in-
5 ducement is likely to reduce the number of employ-
6 ees of such business enterprise in the United States
7 because United States production is being replaced
8 by such enterprise outside the United States;

9 (b) assistance for the purpose of establishing or
10 developing in a foreign country any export process-
11 ing zone or designated area in which the tax, tariff,
12 labor, environment, and safety laws of that country
13 do not apply, in part or in whole, to activities car-
14 ried out within that zone or area, unless the Presi-
15 dent determines and certifies that such assistance is
16 not likely to cause a loss of jobs within the United
17 States; or

18 (c) assistance for any project or activity that
19 contributes to the violation of internationally recog-
20 nized workers rights, as defined in section 502(a)(4)
21 of the Trade Act of 1974, of workers in the recipient
22 country, including any designated zone or area in
23 that country: *Provided*, That in recognition that the
24 application of this subsection should be commensu-
25 rate with the level of development of the recipient

1 country and sector, the provisions of this subsection
2 shall not preclude assistance for the informal sector
3 in such country, micro and small-scale enterprise,
4 and smallholder agriculture.

5 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

6 SEC. 548. (a) Congress finds as follows:

7 (1) The United Nations has imposed an embar-
8 go on the transfer of arms to any country on the
9 territory of the former Yugoslavia.

10 (2) The federated states of Serbia and
11 Montenegro have a large supply of military equip-
12 ment and ammunition and the Serbian forces fight-
13 ing the government of Bosnia-Herzegovina have
14 more than one thousand battle tanks, armored vehi-
15 cles, and artillery pieces.

16 (3) Because the United Nations arms embargo
17 is serving to sustain the military advantage of the
18 aggressor, the United Nations should exempt the
19 government of Bosnia-Herzegovina from its embar-
20 go.

21 (b) Pursuant to a lifting of the United Nations arms
22 embargo against Bosnia-Herzegovina, the President is au-
23 thorized to transfer to the government of that nation,
24 without reimbursement, defense articles from the stocks
25 of the Department of Defense of an aggregate value not
26 to exceed \$50,000,000 in fiscal year 1994: *Provided, That*

1 the President certifies in a timely fashion to the Congress
2 that—

3 (1) the transfer of such articles would assist
4 that nation in self-defense and thereby promote the
5 security and stability of the region; and

6 (2) United States allies are prepared to join in
7 such a military assistance effort.

8 (c) Within 60 days of any transfer under the author-
9 ity provided in subsection (b), and every 60 days there-
10 after, the President shall report in writing to the Speaker
11 of the House of Representatives and the President pro
12 tempore of the Senate concerning the articles transferred
13 and the disposition thereof.

14 (d) There are authorized to be appropriated to the
15 President such sums as may be necessary to reimburse
16 the applicable appropriation, fund, or account for defense
17 articles provided under this section.

18 **(69)** *(e) If the President determines that doing so will*
19 *contribute to a just resolution of charges regarding genocide*
20 *or other violations of international law in the former Yugo-*
21 *slavia, the authority of section 552(c) of the Foreign Assist-*
22 *ance Act of 1961, as amended, may be used to provide up*
23 *to \$25,000,000 of commodities and services to the United*
24 *Nations War Crimes Tribunal, without regard to the ceiling*
25 *limitation contained in paragraph (2) thereof: Provided,*

1 *That the determination required under this subsection shall*
 2 *be in lieu of any determinations otherwise required under*
 3 *section 552(c).*

4 **(70)** *(f) Of the funds appropriated by this Act (includ-*
 5 *ing title VI of this Act), not less than \$3,000,000 shall be*
 6 *made available for the United Nations War Crimes Tribu-*
 7 *nal, notwithstanding any other provision of law.*

8 SPECIAL AUTHORITIES

9 SEC. 549. (a) Funds appropriated in title II of this
 10 Act that are made available for Haiti, Afghanistan, Leb-
 11 anon, and Cambodia, and for victims of war, displaced
 12 children, displaced Burmese, humanitarian assistance for
 13 Romania, and humanitarian assistance for the peoples of
 14 Bosnia-Herzegovina, Croatia, and Kosova, may be made
 15 available notwithstanding any other provision of law: *Pro-*
 16 *vided*, That any such funds that are made available for
 17 Cambodia shall be subject to the provisions of section
 18 531(e) of the Foreign Assistance Act of 1961 and section
 19 906 of the International Security and Development Co-
 20 operation Act of 1985: *Provided further*, That the Presi-
 21 dent shall terminate assistance to any Cambodian organi-
 22 zation that he determines is cooperating, tactically or stra-
 23 tegically, with the Khmer Rouge in their military oper-
 24 ations.

25 (b) Funds appropriated by this Act to carry out the
 26 provisions of sections 103 through 106 of the Foreign As-

1 sistance Act of 1961 may be used, notwithstanding any
 2 other provision of law, for the purpose of supporting tropi-
 3 cal forestry and energy programs aimed at reducing emis-
 4 sions of greenhouse gases with regard to the key countries
 5 in which deforestation and energy policy would make a
 6 significant contribution to global warming: *Provided, That*
 7 such assistance shall be subject to sections 116, 502B, and
 8 620A of the Foreign Assistance Act of 1961.

9 **(71)** *(c) During fiscal year 1994, the President may*
 10 *use up to \$50,000,000 under the authority of section 451*
 11 *of the Foreign Assistance Act of 1961, notwithstanding the*
 12 *funding ceiling contained in subsection (a) of that section.*

13 **(72)** *(d) Of the funds appropriated by this Act to*
 14 *carry out chapter 1 of part I and chapter 4 of part II of*
 15 *the Foreign Assistance Act of 1961 that are made available*
 16 *for assistance for Afghanistan and Lebanon, no more than*
 17 *50 percent of the assistance provided to each country may*
 18 *be from funds appropriated by this Act to carry out chapter*
 19 *1 of part I of the Foreign Assistance Act of 1961.*

20 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
 21 OF ISRAEL

22 SEC. 550. (a) FINDINGS.—The Congress finds that—

23 (1) since 1948 the Arab countries have main-
 24 tained a primary boycott against Israel, refusing to
 25 do business with Israel;

1 (2) since the early 1950s the Arab League has
2 maintained a secondary and tertiary boycott against
3 American and other companies that have commercial
4 ties with Israel;

5 (3) the boycott seeks to coerce American firms
6 by blacklisting those that do business with Israel
7 and harm America's competitiveness;

8 (4) the United States has a longstanding policy
9 opposing the Arab League boycott and United
10 States law prohibits American firms from providing
11 information to Arab countries to demonstrate com-
12 pliance with the boycott;

13 (5) with real progress being made in the Middle
14 East peace process and the serious confidence-build-
15 ing measures taken by the State of Israel, and end
16 to the Arab boycott of Israel and of American com-
17 panies that have commercial ties with Israel is long
18 overdue and would represent a significant con-
19 fidence-building measure; and

20 (6) in the interest of Middle East peace and
21 free commerce, the President must take more con-
22 crete steps to press the Arab states to end their
23 practice of blacklisting and boycotting American
24 companies that have trade ties with Israel.

25 (b) POLICY.—It is the sense of the Congress that—

1 (1) the Arab League countries should imme-
2 diately and publicly renounce the primary boycott of
3 Israel and the secondary and tertiary boycott of
4 American firms that have commercial ties with Is-
5 rael; and

6 (2) the President should—

7 (A) take more concrete steps to encourage
8 vigorously Arab League countries to renounce
9 publicly the primary boycotts of Israel and the
10 secondary and tertiary boycotts of American
11 firms that have commercial relations with Israel
12 as a confidence-building measure;

13 (B) take into consideration the participa-
14 tion of any recipient country in the primary
15 boycott of Israel and the secondary and tertiary
16 boycotts of American firms that have commer-
17 cial relations with Israel when determining
18 whether to sell weapons to said country;

19 (C) report to Congress on the specific
20 steps being taken by the President to bring
21 about a public renunciation of the Arab primary
22 boycott of Israel and the secondary and tertiary
23 boycotts of American firms that have commer-
24 cial relations with Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

(73) *ANTI-NARCOTICS ACTIVITIES*

SEC. 551. (a) Of the funds appropriated by this Act under the heading "Economic Support Fund", assistance may be provided as follows:

(1) To strengthen the administration of justice in countries in Latin America and the Caribbean in accordance with the provisions of section 534 of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act.

(2) Notwithstanding section 660 of the Foreign Assistance Act of 1961, up to \$10,000,000 may be made available for technical assistance, training, and commodities with the objective of creating a professional civilian police force for Panama, and for programs to improve penal institutions and the rehabilitation of offenders in Panama (which programs may be conducted other than through multilateral or regional institutions), except that such technical assistance shall not include more than \$5,000,000 for the

1 *procurement of equipment for law enforcement pur-*
 2 *poses, and shall not include lethal equipment.*

3 *(b) Funds made available pursuant to this section may*
 4 *be made available notwithstanding the third sentence of sec-*
 5 *tion 534(e) of the Foreign Assistance Act of 1961. Funds*
 6 *made available pursuant to subsection (a)(1) for Bolivia,*
 7 *Colombia and Peru and subsection (a)(2) may be made*
 8 *available notwithstanding section 534(c) and the second*
 9 *sentence of section 534(e) of the Foreign Assistance Act of*
 10 *1961.*

11 **(74)** *ELIGIBILITY FOR ASSISTANCE*

12 *SEC. 552. (a) ASSISTANCE THROUGH NON-GOVERN-*
 13 *MENTAL ORGANIZATIONS.—Restrictions contained in this*
 14 *or any other Act with respect to assistance for a country*
 15 *shall not be construed to restrict assistance in support of*
 16 *programs of nongovernmental organizations from funds ap-*
 17 *propriated by this Act to carry out the provisions of chap-*
 18 *ters 1 and 10 of part I of the Foreign Assistance Act of*
 19 *1961: Provided, That the President shall take into consider-*
 20 *ation, in any case in which a restriction on assistance*
 21 *would be applicable but for this subsection, whether assist-*
 22 *ance in support of programs of nongovernmental organiza-*
 23 *tions is in the national interest of the United States: Pro-*
 24 *vided further, That before using the authority of this sub-*
 25 *section to furnish assistance in support of programs of non-*

1 *governmental organizations, the President shall notify the*
2 *Committees on Appropriations under the regular notifica-*
3 *tion procedures of those committees, including a description*
4 *of the program to be assisted, the assistance to be provided,*
5 *and the reasons for furnishing such assistance: Provided*
6 *further, That nothing in this subsection shall be construed*
7 *to alter any existing statutory prohibitions against abortion*
8 *or involuntary sterilizations contained in this or any other*
9 *Act.*

10 *(b) PUBLIC LAW 480.—During fiscal year 1994, re-*
11 *strictions contained in this or any other Act with respect*
12 *to assistance for a country shall not be construed to restrict*
13 *assistance under titles I and II of the Agricultural Trade*
14 *Development and Assistance Act of 1954: Provided, That*
15 *none of the funds appropriated to carry out title I of such*
16 *Act and made available pursuant to this subsection may*
17 *be obligated or expended except as provided through the reg-*
18 *ular notification procedures of the Committees on Appro-*
19 *priations.*

20 *(c) EXCEPTION.—This section shall not apply—*

21 *(1) with respect to section 529 of this Act or any*
22 *comparable provision of law prohibiting assistance to*
23 *countries that support international terrorism; or*

24 *(2) with respect to section 116 of the Foreign As-*
25 *sistance Act of 1961 or any comparable provision of*

1 *law prohibiting assistance to countries that violate*
2 *internationally recognized human rights.*

3 **(75)** *earmarks*

4 *SEC. 553. (a) Funds appropriated by this Act which*
5 *are earmarked may be reprogrammed for other programs*
6 *within the same account notwithstanding the earmark if*
7 *compliance with the earmark is made impossible by oper-*
8 *ation of any provision of this or any other Act or, with*
9 *respect to a country with which the United States has an*
10 *agreement providing the United States with base rights or*
11 *base access in that country, if the President determines that*
12 *the recipient for which funds are earmarked has signifi-*
13 *cantly reduced its military or economic cooperation with*
14 *the United States since enactment of the Foreign Oper-*
15 *ations, Export Financing, and Related Programs Appro-*
16 *priations Act, 1991; however, before exercising the authority*
17 *of this subsection with regard to a base rights or base access*
18 *country which has significantly reduced its military or eco-*
19 *nomie cooperation with the United States, the President*
20 *shall consult with, and shall provide a written policy jus-*
21 *tification to the Committees on Appropriations: Provided,*
22 *That any such reprogramming shall be subject to the regu-*
23 *lar notification procedures of the Committees on Appropria-*
24 *tions: Provided further, That assistance that is repro-*
25 *grammed pursuant to this subsection shall be made avail-*

1 *able under the same terms and conditions as originally pro-*
 2 *vided.*

3 *(b) In addition to the authority contained in sub-*
 4 *section (a), the original period of availability of funds ap-*
 5 *propriated by this Act and administered by the Agency for*
 6 *International Development that are earmarked for particu-*
 7 *lar programs or activities by this or any other Act shall*
 8 *be extended for an additional fiscal year if the Adminis-*
 9 *trator of such agency determines and reports promptly to*
 10 *the Committees on Appropriations that the termination of*
 11 *assistance to a country or a significant change in cir-*
 12 *cumstances makes it unlikely that such earmarked funds*
 13 *can be obligated during the original period of availability:*
 14 *Provided, That such earmarked funds that are continued*
 15 *available for an additional fiscal year shall be obligated*
 16 *only for the purpose of such earmark.*

17 **(76)** *CEILINGS AND EARMARKS*

18 *SEC. 554. Ceilings and earmarks contained in this Act*
 19 *shall not be applicable to funds or authorities appropriated*
 20 *or otherwise made available by any subsequent Act unless*
 21 *such Act specifically so directs.*

22 **(77)** *EXCESS DEFENSE ARTICLES*

23 *SEC. 555. The authority of section 519 of the Foreign*
 24 *Assistance Act of 1961, as amended, may be used in fiscal*
 25 *year 1994 to provide nonlethal excess defense articles to*

1 *countries for which receipt of such articles was separately*
2 *justified for the fiscal year, without regard to the restric-*
3 *tions in subsection (a) of that section.*

4 **(78)** *TERMINATION*

5 *SEC. 556. For the purpose of making an equitable set-*
6 *tlement of termination claims under extraordinary contrac-*
7 *tual relief standards, the President may adopt as a contract*
8 *or other obligation of the United States Government, and*
9 *assume (in whole or in part) any liabilities arising there-*
10 *under, any contract with a United States or third-country*
11 *contractor that had been funded with assistance under this*
12 *Act prior to the termination of assistance.*

13 **(79)** *REAL PROPERTY MANAGEMENT*

14 *SEC. 557. Any funds remaining in the Acquisition of*
15 *Property Revolving Fund administered by the Agency for*
16 *International Development may be transferred to, and con-*
17 *solidated and merged with, funds in the Property Manage-*
18 *ment Fund established pursuant to section 585 of the For-*
19 *eign Operations, Export Financing, and Related Programs*
20 *Appropriations Act, 1991 (Public Law 101-513).*

21 **(80)**

1 **SEC. 558. UNITED STATES ASSISTANCE FOR THE**
2 **TRANSITION TO A NONRACIAL DEMOCRACY**
3 **IN SOUTH AFRICA.**

4 (a) *REPEAL.*—Sections 116(e)(2), 116(f), and 116(g),
5 section 117 (as added by the Comprehensive Anti-Apartheid
6 Act of 1986), and section 535 of the Foreign Assistance Act
7 of 1961 are repealed. Section 116(e)(1) of that Act is
8 amended by striking “(1)”.

9 (b) *IN GENERAL.*—The President is authorized and en-
10 couraged to provide assistance under chapter 10 of part I
11 of the Foreign Assistance Act of 1961 (relating to the Devel-
12 opment Fund for Africa) or chapter 4 of part II of that
13 Act (relating to the Economic Support Fund) to support
14 the transition to nonracial democracy in South Africa.
15 Such assistance shall—

16 (1) *focus on building the capacity of disadvan-*
17 *tagged South Africans to take their rightful place in*
18 *the political, social, and economic systems of their*
19 *country;*

20 (2) *give priority to working with and through*
21 *South African nongovernmental organizations whose*
22 *leadership and staff represent the majority population*
23 *and which have the support of the disadvantaged*
24 *communities being served by such organizations;*

25 (3) *in the case of education programs—*

1 (A) be used to increase the capacity of
2 South African institutions to better serve the
3 needs of individuals disadvantaged by apartheid;

4 (B) emphasize education within South Afri-
5 ca to the extent that assistance takes the form of
6 scholarships for disadvantaged South African
7 students; and

8 (C) fund nontraditional training activities;

9 (4) support activities to prepare South Africa for
10 elections, including voter and civic education pro-
11 grams, political party building, and technical elec-
12 toral assistance;

13 (5) support activities and entities, such as the
14 Peace Accord structures; and

15 (6) support activities to promote human rights,
16 democratization, and a civil society.

17 (c) GOVERNMENT OF SOUTH AFRICA.—

18 (1) LIMITATION ON ASSISTANCE.—Except as pro-
19 vided in paragraph (2), assistance provided in ac-
20 cordance with this section may not be made available
21 to the Government of South Africa, or organizations
22 financed and substantially controlled by that govern-
23 ment, unless the President certifies to the Congress
24 that an interim government that was elected on a

1 *nonracial basis through free and fair elections has*
2 *taken office in South Africa.*

3 (2) *EXCEPTIONS.—Paragraph (1) does not apply*
4 *to assistance for—*

5 (A) *higher education institutions, particu-*
6 *larly those traditionally disadvantaged by apart-*
7 *heid policies, or*

8 (B) *any other organization, entity, or activ-*
9 *ity if the President determines that the assist-*
10 *ance would promote the transition to nonracial*
11 *democracy in South Africa.*

12 *Any determination under subparagraph (B) shall be*
13 *based on consultations with South African individ-*
14 *uals and organizations representative of the majority*
15 *population in South Africa (particularly consulta-*
16 *tions through the Transitional Executive Council)*
17 *and consultations with the appropriate congressional*
18 *committees.*

19 **(81)** *PROHIBITION AGAINST PAY TO FOREIGN ARMED*
20 *SERVICE MEMBER*

21 *SEC. 559. None of the funds appropriated in this Act*
22 *nor any of the counterpart funds generated as a result of*
23 *assistance hereunder or any prior Act shall be used to pay*
24 *pensions, annuities, or retirement pay for any person here-*

1 *tofore or hereafter serving in the armed forces of any recipi-*
 2 *ent country.*

3 **(82)** *PROHIBITION ON PUBLICITY OR PROPAGANDA*

4 *SEC. 560. No part of any appropriation contained in*
 5 *this Act shall be used for publicity or propaganda purposes*
 6 *within the United States not authorized before the date of*
 7 *enactment of this Act by the Congress.*

8 **(83)** *DISADVANTAGED ENTERPRISES*

9 *SEC. 561. (a) Except to the extent that the Adminis-*
 10 *trator of the Agency for International Development of the*
 11 *Foreign Assistance Act of 1961 determines otherwise, not*
 12 *less than 10 percent of the aggregate amount made available*
 13 *for the current fiscal year for the “Development Assistance*
 14 *Fund”, “Population, Development Assistance”, and the*
 15 *“Development Fund for Africa” shall be made available*
 16 *only for activities of United States organizations and indi-*
 17 *viduals that are—*

- 18 *(1) business concerns owned and controlled by*
 19 *socially and economically disadvantaged individuals,*
 20 *(2) historically black colleges and universities,*
 21 *(3) colleges and universities having a student*
 22 *body in which more than 40 per centum of the stu-*
 23 *dents are Hispanic American, and*

1 (4) *private voluntary organizations which are*
2 *controlled by individuals who are socially and eco-*
3 *nomically disadvantaged.*

4 (b)(1) *In addition to other actions taken to carry out*
5 *this section, the actions described in paragraphs (2) through*
6 *(5) shall be taken with respect to development assistance*
7 *and assistance for sub-Saharan Africa for the current fiscal*
8 *year.*

9 (2) *Notwithstanding any other provision of law, in*
10 *order to achieve the goals of this section, the Adminis-*
11 *trator—*

12 (A) *to the maximum extent practicable, shall uti-*
13 *lize the authority of section 8(a) of the Small Busi-*
14 *ness Act (15 U.S.C. 637(a));*

15 (B) *to the maximum extent practicable, shall*
16 *enter into contracts with small business concerns*
17 *owned and controlled by socially and economically*
18 *disadvantaged individuals, and organizations con-*
19 *tained in paragraphs (2) through (4) of subsection*
20 *(a)—*

21 (i) *using less than full and open competitive*
22 *procedures under such terms and conditions as*
23 *the Administrator deems appropriate, and*

24 (ii) *using an administrative system for jus-*
25 *tifications and approvals that, in the Adminis-*

1 trator's discretion, may best achieve the purpose
2 of this section; and

3 (C) shall issue regulations to require that any
4 contract in excess of \$500,000 contain a provision re-
5 quiring that no less than 10 per centum of the dollar
6 value of the contract be subcontracted to entities de-
7 scribed in subsection (a), except—

8 (i) to the extent the Administrator deter-
9 mines otherwise on a case-by-case or category-of-
10 contract basis; and

11 (ii) this subparagraph does not apply to
12 any prime contractor that is an entity described
13 in subsection (a).

14 (3) Each person with contracting authority who is at-
15 tached to the Agency's headquarters in Washington, as well
16 as all Agency missions and regional offices, shall notify the
17 Agency's Office of Small and Disadvantaged Business Utili-
18 zation at least seven business days before advertising a con-
19 tract in excess of \$100,000, except to the extent that the
20 Administrator determines otherwise on a case-by-case or
21 category-of-contract basis.

22 (4) The Administrator shall include, as part of the per-
23 formance evaluation of any mission director of the agency,
24 the mission director's efforts to carry out this section.

1 (5) *The Administrator shall submit to the Congress an-*
 2 *nual reports on the implementation of this section. Each*
 3 *such report shall specify the number and dollar value or*
 4 *amount (as the case may be) of prime contracts, sub-*
 5 *contracts, grants, and cooperative agreements awarded to*
 6 *entities described in subsection (a) during the preceding fis-*
 7 *cal year.*

8 (c) *As used in this section, the term “socially and eco-*
 9 *nomically disadvantaged individuals” has the same mean-*
 10 *ing that term is given for purposes of section 8(d) of the*
 11 *Small Business Act, except that the term includes women.*

12 **(84)** *HUMAN RIGHTS REPORT*

13 *SEC. 562. (a) Section 511(b) of the Foreign Oper-*
 14 *ations, Export Financing, and Related Programs Appro-*
 15 *priations Act, 1993 (Public Law 102–391) is amended to*
 16 *read as follows:*

17 “(b) *HUMAN RIGHTS REPORT.*—*The Secretary of*
 18 *State shall also transmit the report required by section*
 19 *116(d) of the Foreign Assistance Act of 1961 to the Commit-*
 20 *tees on Appropriations each year by the date specified in*
 21 *that section: Provided, That each such report submitted*
 22 *pursuant to such section shall include (1) a review of each*
 23 *country’s commitment to children’s rights and welfare; (2)*
 24 *a description of the extent to which indigenous people are*
 25 *able to participate in decisions affecting their lands, cul-*

1 tures, traditions and the allocation of natural resources,
2 and assess the extent of protection of their civil and political
3 rights; and (3) an examination of discrimination toward
4 people with disabilities: Provided further, That a separate
5 report, which shall be entitled 'Annual Report on Military
6 Expenditures', shall be submitted (at the same time as the
7 report required by section 116(d)) which shall contain a
8 description of the military expenditures of each country and
9 the efforts it is making to reduce those expenditures, and
10 should include for each country—

11 “(1) an updated estimate of current military
12 spending and a description of trends in spending in
13 real terms, using methodology such as that developed
14 by the Arms Control and Disarmament Agency;

15 “(2) an updated estimate of current spending on
16 health care and education;

17 “(3) a description of the size and political role
18 of the armed forces, including an assessment of the
19 ability of civilian authorities to appoint and remove
20 military officers;

21 “(4) an assessment of the feasibility of substan-
22 tially reducing military spending;

23 “(5) a description of efforts by each country and
24 the United States to encourage such reductions, in-

1 cluding collaborative efforts with other donors and
 2 arms suppliers; and

3 “(6) a description of the country’s efforts to make
 4 such reductions, including its willingness to provide
 5 accurate military spending data to relevant inter-
 6 national organizations and accurate data to the
 7 United Nations Register of Conventional Arms, and
 8 to participate in regional talks aimed at reducing
 9 military spending.”.

10 (b) The United States shall, in accordance with its
 11 international obligations as set forth in the Charter of the
 12 United Nations and in keeping with the constitutional her-
 13 itage and traditions of the United States, promote and en-
 14 courage increased respect for human rights and fundamen-
 15 tal freedoms throughout the world without distinction as to
 16 race, sex, language, disability, or religion.

17 **(85)** *USE OF AMERICAN RESOURCES*

18 *SEC. 563. To the maximum extent possible, assistance*
 19 *provided under this Act and title VI should make full use*
 20 *of American resources, including commodities, products,*
 21 *and services.*

22 **(86)** *INTERNATIONAL FUND FOR IRELAND*

23 *SEC. 564. Of the funds appropriated under the heading*
 24 *“Development Assistance Fund,” up to \$19,600,000 may be*
 25 *made available until expended for the United States con-*

1 *tribution to the International Fund for Ireland, in accord-*
 2 *ance with the Anglo-Irish Agreement Support Act of 1986*
 3 *(Public Law 99–415), and such amount shall be expended*
 4 *at the minimum rate necessary to make timely payment*
 5 *for projects and activities.*

6 **(87)** *ASSISTANCE FOR THE NEW INDEPENDENT STATES OF*
 7 *THE FORMER SOVIET UNION*

8 *SEC. 565. (a) Funds appropriated by this Act under*
 9 *the heading “Assistance for the New Independent States of*
 10 *the Former Soviet Union”, and funds appropriated by the*
 11 *Supplemental Appropriations for the New Independent*
 12 *States of the Former Soviet Union Act, 1993, shall be avail-*
 13 *able for economic assistance and for related programs as*
 14 *follows:*

15 *(1) \$895,000,000 shall be provided for the pur-*
 16 *pose of private sector development including through*
 17 *the support of bilateral and multilateral enterprise*
 18 *funds, technical assistance and training, agribusiness*
 19 *programs and agricultural credit, financing and tech-*
 20 *nical assistance for small and medium private enter-*
 21 *prises, and privatization efforts.*

22 *(2) \$125,000,000 shall be provided for the pur-*
 23 *pose of a special privatization and restructuring*
 24 *fund: Provided, That the United States contribution*
 25 *for such fund shall not exceed one-quarter of the ag-*

1 *gregate amount being made available for such fund by*
2 *all countries.*

3 *(3) \$185,000,000 shall be provided for the pur-*
4 *pose of enhancing trade with and investment in the*
5 *new independent states of the former Soviet Union,*
6 *including through energy and environment commod-*
7 *ity import assistance, costs of loans and loan guaran-*
8 *tees and the provision of trade and investment tech-*
9 *nical assistance.*

10 *(4) \$295,000,000 shall be provided for the pur-*
11 *pose of enhancing democratic initiatives, including*
12 *through the support of a comprehensive program of*
13 *exchanges and training, assistance designed to foster*
14 *the rule of law, and encouragement of independent*
15 *media.*

16 *(5) \$190,000,000 shall be provided for the pur-*
17 *pose of supporting troop withdrawal, including*
18 *through the support of an officer resettlement pro-*
19 *gram, and technical assistance for the housing sector.*

20 *(6) \$285,000,000 shall be provided for the pur-*
21 *pose of supporting the energy and environment sec-*
22 *tors, including such programs as nuclear reactor safe-*
23 *ty, and technical assistance to foster the efficiency*
24 *and privatization of the energy sector and making*
25 *that sector more environmentally responsible, of which*

1 *amount not less than \$4,000,000 shall be provided for*
2 *the purpose of establishing, through an international*
3 *academic consortium of research universities, a coop-*
4 *erative data retrieval, computer based storage, and*
5 *electronic networking system between Russia, the*
6 *United States, and Canada. The consortium will be*
7 *formed for the identification, retrieval, preservation,*
8 *and analysis of existing scientific environmental data*
9 *stored in Russia, including data on northern region*
10 *contamination, key environmental parameters related*
11 *to contaminant transport processes (ice, wind, water,*
12 *and biota), North Pacific and Bering Sea fisheries,*
13 *marine mammals and sea birds, and northern human*
14 *ecology.*

15 *(7) \$239,000,000 shall be provided for humani-*
16 *tarian assistance purposes, including to provide vac-*
17 *cines and medicines for vulnerable populations, to as-*
18 *sist in the establishment of a sustainable pharma-*
19 *ceutical industry, to provide food assistance, and to*
20 *meet other urgent humanitarian needs.*

21 *(b) Funds allocated for any of the paragraphs under*
22 *subsection (a) of this section may be reallocated for the pur-*
23 *poses of any other such paragraph, or may be reallocated*
24 *for other economic assistance and related programs in fur-*
25 *therance of the objectives of the FREEDOM Support Act,*

1 *if at least 15 days prior to such reallocation, the Commit-*
2 *tees on Appropriations are notified in accordance with reg-*
3 *ular notification procedures.*

4 *(c) Funds made available in this Act for assistance*
5 *to the New Independent States of the former Soviet Union*
6 *shall be provided to the maximum extent feasible through*
7 *the private sector, including private voluntary organiza-*
8 *tions and nongovernmental organizations functioning in*
9 *the New Independent States.*

10 *(d) Of the funds appropriated by titles II and VI of*
11 *this Act under the headings “Assistance for the New Inde-*
12 *pendent States of the Former Soviet Union” and “Oper-*
13 *ations and Maintenance, Defense Agencies”, and title IV,*
14 *not less than \$300,000,000 shall be made available for*
15 *Ukraine.*

16 *(e) None of the funds appropriated by this or any other*
17 *Act, shall be transferred to the Government of Russia—*

18 *(1) unless that Government is making substan-*
19 *tial progress in implementing comprehensive eco-*
20 *nomie reforms based on market principles, private*
21 *ownership, repayment of commercial debt, respect for*
22 *commercial contracts, and elimination of arbitrary or*
23 *discriminatory taxes adverse to foreign private invest-*
24 *ment; and*

1 (2) if that Government applies or transfers Unit-
2 ed States assistance to any entity for the purpose of
3 expropriating or seizing ownership or control of as-
4 sets, investments, or ventures in violation of an exist-
5 ing contract with a United States private enterprise.

6 **(88)** (f) Notwithstanding subsection (b), of the funds
7 made available under subsection (a), not less than
8 \$40,000,000 shall remain available until expended to estab-
9 lish and operate a Russian Far East enterprise fund. The
10 fund shall be administered through the Agency for Inter-
11 national Development to provide technical assistance, pro-
12 mote business development, and support economic reform
13 in the Russian Far East.

14 **(89)** (g) None of the funds appropriated by this or any
15 other Act, shall be made available to any government of the
16 New Independent States—

17 (1) if that government directs any action in vio-
18 lation of the territorial integrity or national sov-
19 ereignty of any other New Independent State, such as
20 those violations included in Principle Six of the Hel-
21 sinki Final Act;

22 (2) beginning 30 days after enactment of this
23 Act, and every April 1, and September 1, thereafter,
24 the Secretary of State shall report to the Committee
25 on Appropriations of each House of Congress on steps

1 *taken by the governments of the New Independent*
2 *States to achieve compliance with subsection (1). In*
3 *preparing the report the Secretary shall consult with*
4 *the United States Representative to the Conference on*
5 *Security and Cooperation in Europe and the Assist-*
6 *ant Secretary for Human Rights.*

7 *(h) None of the funds appropriated by this or any other*
8 *Act for the New Independent States of the former Soviet*
9 *Union shall be made available for any state to enhance its*
10 *military capability: Provided, That this restriction does not*
11 *apply to demilitarization or non-proliferation programs, or*
12 *programs conducted under section 565(a)(5) of this Act.*

13 *(i) It is the sense of the Senate that at least one-third*
14 *of the funds made available by this Act for the New Inde-*
15 *pendent States of the former Soviet Union shall be provided*
16 *to countries other than Russia.*

17 **(90)** *ANDEAN NARCOTICS INITIATIVE*

18 *SEC. 566. None of the funds appropriated by this Act*
19 *under the headings “Economic Support Fund” and “For-*
20 *ign Military Financing Program” may be made available*
21 *for the Andean Narcotics Initiative until the Secretary of*
22 *State consults with, and provides a new Andean counter-*
23 *narcotics strategy (including budget estimates) to, the Com-*
24 *mittees on Appropriations.*

1 **(91)** LIMITATIONS ON ASSISTANCE FOR NICARAGUA

2 SEC. 567. (a) None of the funds appropriated by this
3 Act under the heading “Economic Support Fund” may be
4 made available to the Government of Nicaragua until the
5 Secretary of State determines and reports in writing to the
6 appropriate committees that—

7 (1) there has been a full and independent inves-
8 tigation conducted relating to issues raised by the dis-
9 covery, after the May 23 explosion in Managua, of
10 weapons caches, false passports, identity papers and
11 other documents, suggesting the existence of a terror-
12 ist/kidnapping ring; and

13 (2) any individuals identified by the investiga-
14 tion cited in paragraph (1) as being part of such
15 ring, including all government officials (including
16 any members of the armed forces or security forces)
17 are being prosecuted.

18 (b) In addition to subsection (a), funds appropriated
19 by this Act under the heading “Economic Support Fund”
20 may only be made available to the Government of Nica-
21 ragua upon the notification, in writing, by the Secretary
22 of State to the appropriate committees that he has deter-
23 mined that significant and tangible progress is being made
24 by the Government of Nicaragua toward—

1 (1) *the resolution of expropriation claims and*
2 *the effective compensation of legitimate claims;*

3 (2) *the timely implementation of recommenda-*
4 *tions made by the Tripartite Commission as it under-*
5 *takes to review and identify those responsible for gross*
6 *human rights violations, including the expeditious*
7 *prosecution of individuals identified by the commis-*
8 *sion in connection with such violations;*

9 (3) *the enactment into law of legislation to re-*
10 *form the Nicaraguan military and security forces in*
11 *order to guarantee civilian control over the armed*
12 *forces;*

13 (4) *the establishment of civilian control over the*
14 *police, and the independence of the police from the*
15 *military; and*

16 (5) *the effective reform of the Nicaraguan judi-*
17 *cial system.*

18 (c) *The notification pursuant to subsection (b) shall*
19 *include a detailed listing of the tangible evidence that forms*
20 *the basis for such determination.*

21 (d) *For purposes of this section, the term “appropriate*
22 *committees” means the Committees on Foreign Relations*
23 *and Appropriations of the Senate and the Committees on*
24 *Foreign Affairs and Appropriations of the House of Rep-*
25 *resentatives.*

1 **(92)** *LIMITATIONS ON ASSISTANCE FOR HAITI*

2 *SEC. 568. (a) Notwithstanding any provision of this*
3 *or any other Act, none of the funds appropriated by this*
4 *Act may be obligated or expended for the purpose of mili-*
5 *tary-related civic action programs, police training, or mili-*
6 *tary training for Haiti—*

7 *(1) prior to October 30, 1993, unless such pro-*
8 *grams or training constitutes an integral part of a*
9 *United Nations-sponsored, multilateral initiative in*
10 *furtherance of the implementation of the Governor's*
11 *Island Accords, signed on July 3, 1993; and*

12 *(2) on or after October 30, 1993, in order to*
13 *strengthen civilian control over the military and to*
14 *establish an independent civilian police force, without*
15 *the concurrence of the duly-elected President of Haiti.*

16 *(b) Notwithstanding any provision of this or any other*
17 *Act, none of the funds appropriated by this Act may be*
18 *used to provide military assistance or military training to*
19 *any member of the Haitian Armed Forces who the Sec-*
20 *retary of State knows or has reason to believe, based on*
21 *all credible information available to him—*

22 *(1) is or has been an illicit trafficker in any*
23 *narcotic or psychotropic drug or other controlled sub-*
24 *stance, or is or has been a knowing assistor, abettor,*

1 *conspirator, or colluder with others in the illicit traf-*
 2 *ficking in any such substance; or*

3 *(2) is or has participated in gross violations of*
 4 *internationally recognized human rights.*

5 **(93)** *AGRICULTURAL AID TO THE NEW INDEPENDENT*
 6 *STATES OF THE FORMER SOVIET UNION*

7 *SEC. 569. Of the funds appropriated by titles II and*
 8 *VI of this Act under the headings "Assistance for the New*
 9 *Independent States of the Former Soviet Union" and "Op-*
 10 *erations and Maintenance, Defense Agencies", \$50,000,000*
 11 *shall be made available only for provision of United States*
 12 *agricultural commodities to address the food and nutrition*
 13 *needs of the people of the new independent states of the*
 14 *former Soviet Union: Provided, That in providing assist-*
 15 *ance under this section, primary emphasis shall be given*
 16 *to meeting the food and nutrition needs of children and*
 17 *pregnant and post-partum women: Provided further, That*
 18 *funds made available for the purposes of this section may*
 19 *be used for transportation of United States agricultural*
 20 *commodities provided under this section: Provided further,*
 21 *That the President may enter into agreements with the gov-*
 22 *ernments of the new independent states and nongovern-*
 23 *mental organizations to provide for the sale of any part*
 24 *of the United States agricultural commodities in the new*
 25 *independent states for local currencies: Provided further,*

1 *That any such local currencies shall be used in the new*
 2 *independent states to process, transport, store, distribute or*
 3 *otherwise enhance the effectiveness of the use of United*
 4 *States agricultural commodities provided under this sec-*
 5 *tion, and to support agricultural and rural development ac-*
 6 *tivities.*

7 **(94)** *HUMANITARIAN ASSISTANCE FOR ARMENIA*

8 *SEC. 570. Of the funds appropriated by titles II and*
 9 *VI of this Act (1) to carry out the provisions of chapter*
 10 *1 of part I and chapter 4 of part II of the Foreign Assist-*
 11 *ance Act of 1961, and (2) under the headings “Assistance*
 12 *for the New Independent States of the Former Soviet*
 13 *Union” and “Operations and Maintenance, Defense Agen-*
 14 *cies”, not less than \$18,000,000 shall be made available,*
 15 *notwithstanding any other provision of law, for urgent hu-*
 16 *manitarian assistance for Armenia.*

17 **(95)** *HUMANITARIAN AND REFUGEE ASSISTANCE IN*
 18 *CROATIA, SLOVENIA, BOSNIA, AND KOSOVA*

19 *SEC. 571. (a) Of the funds appropriated by this Act*
 20 *under the heading “Migration and Refugee Assistance”, not*
 21 *less than \$35,000,000 shall be made available to assist refu-*
 22 *gees in Croatia, Slovenia, and Bosnia.*

23 *(b) Of the funds appropriated by title II of this Act,*
 24 *not less than \$30,000,000 shall be made available, notwith-*
 25 *standing any provision of law, for humanitarian assistance*

10 *SEC. 572. None of the funds appropriated or made*
11 *available pursuant to this Act for carrying out the Foreign*
12 *Assistance Act of 1961, may be used to pay in whole or*
13 *in part any assessments, arrearages, or dues of any member*
14 *of the United Nations.*

16 *SEC. 573. The expenditure of any appropriation under*
17 *this Act for any consulting service through procurement*
18 *contract, pursuant to section 3109 of title 5, United States*
19 *Code, shall be limited to those contracts where such expendi-*
20 *tures are a matter of public record and available for public*
21 *inspection, except where otherwise provided under existing*
22 *law, or under existing Executive order pursuant to existing*
23 *law.*

1 **(98)** *PRIVATE VOLUNTARY ORGANIZATIONS—*

2 *DOCUMENTATION*

3 *SEC. 574. None of the funds appropriated or made*
4 *available pursuant to this Act shall be available to a private*
5 *voluntary organization which fails to provide upon timely*
6 *request any document, file, or record necessary to the audit-*
7 *ing requirements of the Agency for International Develop-*
8 *ment, nor shall any of the funds appropriated by this Act*
9 *be made available to any private voluntary organization*
10 *which is not registered with the Agency for International*
11 *Development.*

12 **(99)** *CHEMICAL WEAPONS PROLIFERATION*

13 *SEC. 575. None of the funds appropriated by this Act*
14 *may be used to finance the procurement of chemicals, dual*
15 *use chemicals, or chemical agents that may be used for*
16 *chemical weapons production: Provided, That the provi-*
17 *sions of this section shall not apply to any such procure-*
18 *ment if the President determines that such chemicals, dual*
19 *use chemicals, or chemical agents are not intended to be*
20 *used by the recipient for chemical weapons production.*

21 **(100)** *SPECIAL DEBT RELIEF FOR THE POOREST*

22 *SEC. 576. The Foreign Assistance Act of 1961 is*
23 *amended by inserting at the end of part I the following*
24 *new chapter:*

1 **“CHAPTER 12—SPECIAL DEBT REDUCTION**

2 **AUTHORITY**

3 **“SEC. 499. SPECIAL DEBT REDUCTION AUTHORITY.**

4 “(a) *AUTHORITY TO REDUCE DEBT.*—The President
5 *may reduce amounts owed to the United States (or any*
6 *agency of the United States) by an eligible country as a*
7 *result of—*

8 “(1) *guarantees issued under sections 221 and*
9 *222 of the Foreign Assistance Act of 1961;*

10 “(2) *credits extended or guarantees issued under*
11 *the Arms Export Control Act; or*

12 “(3) *loans or guarantees made pursuant to the*
13 *Export-Import Bank of 1945.*

14 “(b) *LIMITATIONS.*—

15 “(1) *The authority provided by this section may*
16 *be exercised only to implement multilateral official*
17 *debt relief and referendum agreements commonly re-*
18 *ferred to as ‘Paris Club Agreed Minutes’.*

19 “(2) *The authority provided by this section may*
20 *be exercised only in such amounts or to such extent*
21 *as is provided in advance by appropriations Acts.*

22 “(3) *The authority provided by this section may*
23 *be exercised only with respect to countries with heavy*
24 *debt burdens that are eligible to borrow from the*
25 *International Development Association, but not from*
26 *the International Bank for Reconstruction and Devel-*

1 *opment, commonly referred to as 'IDA-only' coun-*
 2 *tries.*

3 *“(c) ELIGIBILITY.—The authority provided by this sec-*
 4 *tion may be exercised only with respect to a country—*

5 *“(1) whose government is making reasonable*
 6 *progress toward democracy;*

7 *“(2) whose government has not repeatedly pro-*
 8 *vided support for acts of international terrorism;*

9 *“(3) whose government is not failing to cooperate*
 10 *on international narcotics control matters; and*

11 *“(4) whose government (including its military or*
 12 *other security forces) does not engage in a consistent*
 13 *pattern of gross violations of internationally recog-*
 14 *nized human rights.*

15 *“(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-*
 16 *duction of debt pursuant to this section shall not be consid-*
 17 *ered assistance for purposes of any provision of law limit-*
 18 *ing assistance to a country.”.*

19 **(101)** *GUARANTEES*

20 *SEC. 577. Section 251(b) of the Balanced Budget and*
 21 *Emergency Deficit Control Act of 1985 is amended by in-*
 22 *serting after subparagraph (2)(F) the following new sub-*
 23 *paragraph:*

24 *“(G) NET GUARANTEE COSTS.—The net costs for fiscal*
 25 *year 1994 of the appropriation made under section 601 of*

1 *Public Law 102-391 are not subject to the discretionary*
 2 *spending limits or the Appropriations Committee's Foreign*
 3 *Operations Subcommittee's 602(b) allocation in fiscal year*
 4 *1994."*

5 **(102)** FOREIGN MILITARY FINANCING DIRECT COMMERCIAL
 6 SALES POLICY

7 *SEC. 578. (a) PROHIBITION ON POLICY CHANGES.—*
 8 *The Secretary of Defense shall not restrict the use of Foreign*
 9 *Military Financing for direct commercial sales unless and*
 10 *until—*

11 *(1) the Secretary of Defense submits to the con-*
 12 *gressional appropriations, foreign relations and de-*
 13 *fense committees the report under subsection (b); and*
 14 *(2) the Secretary of Defense consults with and se-*
 15 *cures the approval of the Congress regarding any pro-*
 16 *posed changes in Foreign Military Financing direct*
 17 *commercial sales policy.*

18 *(b) REPORT ON IMPACT OF POLICY CHANGES REGARD-*
 19 *ING FOREIGN MILITARY FINANCING DIRECT COMMERCIAL*
 20 *SALES.—The Secretary of Defense shall submit a report to*
 21 *Congress on or before December 31, 1994, regarding the im-*
 22 *plementation of the Foreign Military Financing program*
 23 *through both the Government-to-Government and direct*
 24 *commercial sales methods.*

1 (1) *CONTENT OF REPORT.*—The report shall in-
2 clude—

3 (A) *reasons for selecting the Government-to-*
4 *Government or direct commercial sales methods*
5 *in Foreign Military Financing transactions;*

6 (B) *benefits and difficulties resulting from*
7 *usage of the Government-to-Government or direct*
8 *commercial sales methods in Foreign Military*
9 *Financing transactions, including, but not lim-*
10 *ited to, a discussion and statistical breakdown of*
11 *administrative and other difficulties arising*
12 *from both Government-to-Government and direct*
13 *commercial sales methods; and*

14 (C) *the time necessary to ensure an effective*
15 *and non-disruptive transition to implement any*
16 *changes regarding Foreign Military Financing*
17 *sales methods which the Congress may approve.*

18 (2) *FORM OF REPORT.*—The report shall be sub-
19 mitted in classified and unclassified forms.

20 (3) *SOLICITATION OF ADDITIONAL VIEWS.*—The
21 Secretary of Defense shall solicit the views of the De-
22 partment of State and the National Security Council
23 and of foreign countries and United States defense
24 contractors which participate in the Foreign Military
25 Financing program regarding those issues covered by

1 *subsection (b)(1). All views solicited under direction*
2 *of this subsection shall be included in the final report*
3 *submitted to Congress.*

4 **(103)** *RESTRICTION ON ASSISTANCE TO PERU*

5 *SEC. 579. (a) IN GENERAL.—None of the funds appro-*
6 *priated by this Act to carry out the Foreign Assistance Act*
7 *of 1961 may be available for the Government of Peru until*
8 *the President determines and so certifies to Congress that*
9 *the Government of Peru has paid fair and equitable com-*
10 *pensation to the survivors of Master Sergeant Joseph Beard,*
11 *Jr., United States Air Force, who was killed during the at-*
12 *tack by aircraft of the military forces of Peru on April 24,*
13 *1992, against a United States Air Force C-130 aircraft op-*
14 *erating off the coast of Peru in international airspace.*

15 *(b) OPPOSITION TO FINANCING BY MULTILATERAL DE-*
16 *VELOPMENT BANKS.—The Secretary of the Treasury shall*
17 *instruct the United States executive directors of the appro-*
18 *priate multilateral development banks to vote against any*
19 *loan or other financial assistance for Peru until the condi-*
20 *tion described in subsection (a) is met.*

21 *(c) DEFINITION.—For purposes of this section, the*
22 *term “appropriate multilateral development banks” means*
23 *the International Bank for Reconstruction and Develop-*
24 *ment, the International Development Association, and the*
25 *Inter-American Development Bank.*

1 **(104)** *PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-*
2 *MENTS THAT EXPORT LETHAL MILITARY EQUIPMENT*
3 *TO COUNTRIES SUPPORTING INTERNATIONAL TERROR-*
4 *ISM*

5 *SEC. 580. (a) None of the funds appropriated or other-*
6 *wise made available by this Act may be available to any*
7 *foreign government which provides lethal military equip-*
8 *ment to a country the government of which the Secretary*
9 *of State has determined is a terrorist government for pur-*
10 *poses of section 40(d) of the Arms Export Control Act. The*
11 *prohibition under this section with respect to a foreign gov-*
12 *ernment shall terminate 12 months after that government*
13 *ceases to provide such military equipment. This section ap-*
14 *plies with respect to lethal military equipment provided*
15 *under a contract entered into after the date of enactment*
16 *of this Act.*

17 *(b) Assistance restricted by subsection (a) or any other*
18 *similar provision of law, may be furnished if the President*
19 *determines that furnishing such assistance is important to*
20 *the national interests of the United States.*

21 *(c) Whenever the waiver of subsection (b) is exercised,*
22 *the President shall submit to the appropriate congressional*
23 *committees a report with respect to the furnishing of such*
24 *assistance. Any such report shall include a detailed expla-*
25 *nation of the assistance to be provided, including the esti-*

1 *mated dollar amount of such assistance, and an expla-*
 2 *nation of how the assistance furthers United States national*
 3 *interests. Any such report shall be submitted, in accordance*
 4 *with the procedures applicable to reprogramming notifica-*
 5 *tions under section 634A, at least 15 days before any funds*
 6 *are obligated for such assistance.*

7 **(105)** *WITHHOLDING OF ASSISTANCE FOR PARKING FINES*
 8 *OWED BY FOREIGN COUNTRIES*

9 *SEC. 581. (a) IN GENERAL.—Of the funds made avail-*
 10 *able for a foreign country under part I of the Foreign As-*
 11 *sistance Act of 1961, an amount equivalent to the total un-*
 12 *paid parking fines and penalties owed to the District of*
 13 *Columbia by such country as of the date of enactment of*
 14 *this Act shall be withheld from obligation for such country*
 15 *until the Secretary of State certifies and reports in writing*
 16 *to the appropriate congressional committees that such fines*
 17 *and penalties are fully paid to the government of the Dis-*
 18 *trict of Columbia.*

19 *(b) DEFINITION.—For purposes of this section, the*
 20 *term “appropriate congressional committees” has the same*
 21 *meaning given to such term by section 644(q) of the Foreign*
 22 *Assistance Act of 1961.*

23 **(106)** *UKRAINE/RUSSIA STABILIZATION PARTNERSHIPS*

24 *SEC. 582. Of the funds appropriated by this Act under*
 25 *the headings “Assistance for the New Independent States*

1 *of the Former Soviet Union” and “Operations and Mainte-*
 2 *nance, Defense Agencies”, and allocated under section*
 3 *565(a) paragraphs (1) and (6), not less than \$50,000,000*
 4 *shall be made available to the Secretary of Energy in con-*
 5 *sultation with the Secretary of State for a program of co-*
 6 *operation between scientific and engineering institutes in*
 7 *the new independent states and national laboratories in the*
 8 *United States designed to stabilize the technology base in*
 9 *the cooperating states as each strives to convert defense in-*
 10 *dustries to civilian applications: Provided, That priority*
 11 *be assigned to programs in support of international agree-*
 12 *ments that prevent and reduce proliferation of weapons of*
 13 *mass destruction: Provided further, That the Secretary may*
 14 *enter into agreements involving private United States in-*
 15 *dustry that include cost share arrangements where feasible:*
 16 *Provided further, That the Secretary may participate in*
 17 *programs that enhance the safety of power reactors: Pro-*
 18 *vided further, That the intellectual property rights of all*
 19 *parties to a program of cooperation be protected: Provided*
 20 *further, That funds made available by this section may be*
 21 *reallocated in accordance with the authority of section*
 22 *565(b) of this Act.*

23 **(107)** *USED OIL EQUIPMENT*

24 *SEC. 583. Section 106(b)(1) of the Foreign Assistance*
 25 *Act of 1961 (22 U.S.C. 2151d(b)(1)), as amended, is further*

1 *amended in the last sentence of the paragraph by striking*
2 *the word “and” the second place it appears and inserting*
3 *“, and the purchase of used oil equipment (including equip-*
4 *ment used in the Arctic)” immediately before the period.*

5 **(108)** *FISHING IN THE CENTRAL BERING SEA*

6 *SEC. 584. (a) FINDINGS.—The Congress finds that—*

7 *(1) the Central Bering Sea Fisheries Enforce-*
8 *ment Act of 1992 (title III of Public Law 102–582)*
9 *prohibits United States nationals and vessels from*
10 *conducting fishing operations in the Central Bering*
11 *Sea, in an area known as “the Doughnut”, except*
12 *when such fishing operations are in accordance with*
13 *an international fishery agreement to which the*
14 *United States and the Russian Federation are par-*
15 *ties;*

16 *(2) the Central Bering Sea Fishery Enforcement*
17 *Act also prohibits the entry into United States ports*
18 *of any fishing vessel from a nation whose vessels or*
19 *nationals conduct fishing operations in the Doughnut*
20 *in the absence of such an international fishery agree-*
21 *ment;*

22 *(3) the United States and the Russian Federa-*
23 *tion have participated in seven multilateral meetings*
24 *among nations whose vessels or nationals fish in the*

1 *Doughnut to discuss an international fishery agree-*
2 *ment;*

3 *(4) a moratorium on fishing in the Doughnut for*
4 *1993 and 1994 was agreed to by the United States,*
5 *the Russian Federation, Japan, Korea, Poland, and*
6 *the People's Republic of China as part of these discus-*
7 *sions, in order to facilitate negotiations on an inter-*
8 *national fishery agreement;*

9 *(5) at the Vancouver Summit on April 4, 1993,*
10 *Presidents Clinton and Yeltsin committed to develop-*
11 *ing further bilateral cooperation on fishery matters in*
12 *the Bering Sea;*

13 *(6) an international fishery agreement has not*
14 *yet been reached despite the best efforts of the United*
15 *States and the Russian Federation; and*

16 *(7) the cooperation of nations which receive aid*
17 *through monies provided by this Act is needed in*
18 *order for an international fishery agreement to be*
19 *reached.*

20 *(b) REVIEW.—In light of the findings in subsection*
21 *(a), it is the sense of the Congress that the cooperation of*
22 *nations whose vessels and nationals conduct fishing oper-*
23 *ations in the Central Bering Sea should be carefully consid-*
24 *ered in making appropriations for programs from which*
25 *those nations will receive aid monies in fiscal year 1995,*

1 *and that Congress should seriously consider withholding*
2 *any such monies until such time as an acceptable inter-*
3 *national fishery agreement is reached.*

4 **(109)KENYA**

5 *SEC. 585. (a) STATEMENT OF THE CONGRESS.—The*
6 *Congress—*

7 *(1) notes the long friendship between Kenya and*
8 *the United States and the constructive role played by*
9 *Kenya during the humanitarian relief operation in*
10 *Somalia;*

11 *(2) recognizes the steps taken by the Kenyan*
12 *Government toward establishing a more open and*
13 *democratic political system, including the legalization*
14 *of opposition political parties and the holding of*
15 *multiparty elections in December 1992; and*

16 *(3) remains concerned about the continuing*
17 *human rights abuses, government corruption, and eco-*
18 *nomic mismanagement which threaten the political*
19 *and economic future of Kenya.*

20 *(b) ASSISTANCE.—In providing future economic and*
21 *development assistance to the Government of Kenya, the*
22 *President shall take into account the extent of the Kenyan*
23 *Government's progress toward increasing respect for human*
24 *rights, permitting freedom of expression, expanding co-*
25 *operation and dialogue with the democratic opposition par-*

1 *ties, improving the management of the economy, and reduc-*
 2 *ing economic corruption, especially at the state-run Kenya*
 3 *Central Bank.*

4 *(c) PROHIBITION.—No funds appropriated by this Act*
 5 *under section 23 of the Arms Export Control Act may be*
 6 *provided to the Government of Kenya unless the President*
 7 *determines that providing such assistance is in the national*
 8 *interests of the United States and consults with Congress*
 9 *prior to making such a determination.*

10 **●(110) PROHIBITION ON ASSISTANCE TO COUNTRIES**

11 *EXPROPRIATING UNITED STATES PROPERTY*

12 *SEC. 586. (a) PROHIBITION.—None of the funds appro-*
 13 *priated or otherwise made available by this Act may be pro-*
 14 *vided to a country (other than a country described in sub-*
 15 *section (c)) whose government (or any agency or instrumen-*
 16 *tality thereof)—*

17 *(1) has before, on, or after the date of enactment*
 18 *of this Act—*

19 *(A) nationalized or expropriated the prop-*
 20 *erty of any United States person,*

21 *(B) repudiated or nullified any contract or*
 22 *agreement with any United States person, or*

23 *(C) taken any other action (such as the im-*
 24 *position of discriminatory taxes or other exac-*
 25 *tions) which has the effect of seizing ownership*

1 or control of the property of any United States
2 person,

3 (2) has not, within a period of 3 years (or where
4 applicable, the period described in subsection (b)), re-
5 turned the property or provided adequate and effec-
6 tive compensation for such property in convertible
7 foreign exchange equivalent to the full value thereof,
8 as required by international law, and

9 (3) the President may waive the prohibition in
10 this subsection if he determines and so notifies Con-
11 gress that it is in the national interest to do so. Such
12 determination must be made on a country by country
13 basis every 180 days.

14 (b) *EXTENDED PERIOD FOR COMPENSATION IN THE*
15 *CASE OF NEWLY DEMOCRATIC GOVERNMENTS.*—In the case
16 of a democratically elected foreign government that had
17 been a totalitarian or authoritarian government at the time
18 of the action described in subsection (a)(1), the 3-year pe-
19 riod described in subsection (a)(2) shall be deemed to have
20 begun as of the date of the installation of the
21 democratically elected government.

22 (c) *EXCEPTED COUNTRIES AND TERRITORIES.*—This
23 section shall not apply to any country established by inter-
24 national mandate through the United Nations or to any

1 *territory recognized by the United States Government to be*
 2 *in dispute.*

3 (d) *DEFINITION.*—*For purposes of this section, the*
 4 *term “United States person” means a United States citizen*
 5 *or corporation, partnership, or association at least 50 per-*
 6 *cent beneficially owned by United States citizens.*

7 **(111)***RUSSIAN ASSISTANCE TO CUBA*

8 *SEC. 587. Of the funds appropriated by this Act under*
 9 *the headings “Assistance for the New Independent States*
 10 *of the former Soviet Union” and “Operations and Mainte-*
 11 *nance, Defense Agencies”, \$380,000,000 shall not be avail-*
 12 *able for obligation for Russia unless the President certifies*
 13 *on April 1, 1994, that the government of Russia has not*
 14 *provided assistance to Cuba during the preceding 18*
 15 *Months: Provided, That the Committees on Appropriations*
 16 *shall be notified 15 days in advance of the obligation of*
 17 *such funds through the regular notifications procedures of*
 18 *the Committees on Appropriations.*

19 **(112)***RESTRICTION ON ASSISTANCE FOR RUSSIA*

20 *SEC. 588. (a) PROHIBITION.*—*None of the funds appro-*
 21 *priated or otherwise made available by this Act (other than*
 22 *funds to carry out humanitarian assistance) may be avail-*
 23 *able in any fiscal year for Russia unless the President has*
 24 *certified to the Congress not more than 6 months in advance*
 25 *of the obligation or expenditure of such funds that—*

1 (1) *the Government of Russia and the Govern-*
 2 *ments of Latvia and Estonia have established a time-*
 3 *table for the withdrawal of the armed forces of Russia*
 4 *and the Commonwealth of Independent States, and*
 5 *all parties are complying with such timetable; or*

6 (2) *Russia and the Commonwealth of Independ-*
 7 *ent States continue to make substantial progress to-*
 8 *ward the withdrawal of their armed forces from Lat-*
 9 *via and Estonia.*

10 (b) *TERMINATION OF CERTIFICATION REQUIRE-*
 11 *MENT.—Subsection (a) shall remain in force until the*
 12 *President certifies to the Congress that all of the armed*
 13 *forces of Russia and the Commonwealth of Independent*
 14 *States have withdrawn from Latvia and Estonia or that*
 15 *the status of those armed forces has been otherwise resolved*
 16 *by mutual agreement of the parties.*

17 **(113)** *POLICY WITH RESPECT TO RESTORATION OF*
 18 *DEMOCRACY IN HAITI*

19 *SEC. 589. (a) FINDINGS.—The Senate finds that—*

20 (1) *the Governors Island Accord signed in July*
 21 *1993 calls for the restoration of democracy in Haiti,*
 22 *including a return of Haiti's duly elected President*
 23 *Jean Bertrande Aristide;*

24 (2) *in the last 3 months, scores of Haitians have*
 25 *been killed or injured in politically motivated attacks*

1 *by paramilitary groups operating with the apparent*
2 *complicity of Haitian security forces, and inter-*
3 *national human rights monitors have reported a*
4 *greater increase in violence than at any time since*
5 *the violent overthrow of President Aristide in 1991;*

6 *(3) officials of President Aristide's government*
7 *have received death threats or have been otherwise*
8 *threatened, harassed, and intimidated as they have*
9 *attempted to exercise the duties of their offices;*

10 *(4) conditions in Haiti are forcing Haitians to*
11 *flee their country in search of refuge;*

12 *(5) the exodus of Haitian refugees contributes to*
13 *regional instability and threatens to overwhelm the*
14 *ability of the United States and other nations to pro-*
15 *vide safe haven to these refugees;*

16 *(6) the recent acts of violence are completely un-*
17 *justifiable and violate the spirit of national reconcili-*
18 *ation embodied in the Governors Island Agreement;*

19 *(7) the United Nations sanctions suspended re-*
20 *cently, after consultation with the United States and*
21 *other nations, were suspended in good faith, in the*
22 *full expectation that the terms of the Governors Island*
23 *Accord would be executed faithfully by all parties in*
24 *an atmosphere free of political violence, coercion, and*
25 *intimidation;*

1 (8) on September 17 the United Nations Security
2 Council deplored the recent upsurge in violence in
3 Haiti and said that if the Secretary General deter-
4 mines there has been serious and consistent non-
5 compliance with the Governor's Island Agreement, the
6 Council "will immediately reinstate those measures
7 provided for in Resolution 841 appropriate to the sit-
8 uation, with particular emphasis on those measures
9 aimed at those deemed responsible for the noncompli-
10 ance of the agreement."; and

11 (9) on September 21, 1993, President Aristide
12 called upon the United Nations to reimpose com-
13 prehensive sanctions on Haiti.

14 (b) *POLICY*.—(1) It is the sense of the Senate that the
15 highest priority of United States policy toward Haiti
16 should be to help restore democratic government there in
17 an atmosphere free of violence and fear.

18 (2) *The Senate*—

19 (A) commends the President for condemning the
20 violence in Haiti, and for his continuing vigorous ef-
21 forts to convey to the Haitian security forces the
22 United States unshakable support for the interim gov-
23 ernment of Prime Minister Malval and the restora-
24 tion of democracy there under the Governors Island
25 timetable, as evidenced by a recent visit of high-rank-

1 *ing United States diplomatic and military officials to*
 2 *Haiti to discuss security and other issues with Hai-*
 3 *tian military officials; and*

4 *(B) urges the President—*

5 *(i) to consider immediate reimposition of*
 6 *United States-sponsored sanctions against the de*
 7 *facto military government of Haiti;*

8 *(ii) to consult on an urgent basis with other*
 9 *members of the Security Council to determine if*
 10 *a reimposition of United Nations-sponsored*
 11 *sanctions is now appropriate;*

12 *(iii) to provide all necessary support to ex-*
 13 *pedite the arrival of United Nations police mon-*
 14 *itors in Haiti; and*

15 *(iv) to support the new Government of Hai-*
 16 *ti's efforts to identify and remove human rights*
 17 *violators from the Haitian security forces.*

18 **(114)** *STATEMENT OF POLICY ON THE UNITED NATIONS*

19 *SEC. 590. It is the sense of the Congress that—*

20 *(1) the Secretary General of the United Nations*
 21 *should—*

22 *(A) immediately establish a permanent,*
 23 *independent inspector general with responsibil-*
 24 *ities and authority similar to the offices of In-*
 25 *spectors General as authorized by the Inspector*

1 *General Act of 1978, and that such office should*
2 *carry out internal audits and investigations of*
3 *United Nations operations, remedy any irreg-*
4 *ularities found by such audits, and establish a*
5 *system of cost-based accounting; and*

6 *(B) establish a system allowing for the re-*
7 *view of internal audits by representatives of the*
8 *permanent members of the United Nations; and*

9 *(2) the President and the Congress should pursue*
10 *such measures as are necessary to achieve the reform*
11 *goals referred to in paragraph (1).*

12 **(115)** *MIDDLE EAST PEACE FACILITATION ACT*

13 *SEC. 591. (a) Until January 1, 1994, the President*
14 *shall have the authority to waive section 307 of the Foreign*
15 *Assistance Act, as amended, with respect to the Palestine*
16 *Liberation Organization (PLO), programs for the PLO,*
17 *and programs for the benefit of entities associated with it,*
18 *which accept the commitments made by the PLO on Sep-*
19 *tember 9, 1993: Provided, That before exercising this au-*
20 *thority, the President shall consult with the relevant com-*
21 *mittees of the Senate and the House of Representatives: Pro-*
22 *vided further, That the President determines, and notifies*
23 *Congress that to do so is in the national interest.*

24 *(b) Subsection (a) shall cease to have effect if at any*
25 *time prior to January 1, 1994, the President determines*

1 *and so notifies Congress that the PLO has ceased to comply*
2 *with the commitments it made on September 9, 1993, or*
3 *the Congress, by joint resolution, determines that the PLO*
4 *has ceased to comply with the commitments it made on Sep-*
5 *tember 9, 1993.*

6 **(116)** *POLICY CONCERNING HUMAN RIGHTS AND*

7 *DEMOCRACY IN VIETNAM*

8 *SEC. 592. (a) FINDINGS.—The Congress finds that—*

9 *(1) the ending of the Cold War provides an un-*
10 *precedented opportunity for democratic reform and*
11 *improvements in human rights throughout the world;*

12 *(2) the government and citizens of the United*
13 *States view positively recent improvements in resolv-*
14 *ing POW/MIA cases by the Socialist Republic of Viet-*
15 *nam and wish to promote even greater openness in*
16 *that country;*

17 *(3) recent economic reforms and initiatives un-*
18 *dertaken by the Vietnamese Government can best be*
19 *encouraged and built upon through political liberal-*
20 *ization;*

21 *(4) the interests of the United States and the*
22 *people of Vietnam, and the international community*
23 *would best be served by having a friendly and demo-*
24 *cratic government in Vietnam;*

1 (5) *the United States currently has no program*
2 *to support political reform in Vietnam; and*

3 (6) *greater respect for internationally recognized*
4 *human rights and a peaceful transition to democracy*
5 *in Vietnam would greatly reduce the threat to the sta-*
6 *bility of Southeast Asia, allow for the rapid resolution*
7 *of the POW/MIA issue, and enable the creation of a*
8 *free-market economy in Vietnam.*

9 (b) *POLICY.—It is the sense of the Congress that—*

10 (1) *the United States should support the process*
11 *of nonviolent democratic reform in Vietnam;*

12 (2) *the Secretary of State should declare United*
13 *States support for the democratization of Vietnam*
14 *and reaffirm that measurable progress on the POW/*
15 *MIA issue is critical to normalizing economic and*
16 *diplomatic relations with the United States;*

17 (3) *the Administration should take the lead in*
18 *mobilizing the United Nations, ASEAN members,*
19 *human rights organizations, and the various other in-*
20 *terest groups, including United States businesses op-*
21 *erating in Vietnam under the guidelines of current*
22 *United States policy to work toward the common goal*
23 *of promoting basic human rights, the rule of law and*
24 *free and democratic elections in Vietnam;*

1 (4) *the United States should increase its support*
 2 *for Voice of America programming in Vietnam;*

3 (5) *the Administration should make every effort*
 4 *to stress with officials of the Vietnamese government*
 5 *at every opportunity the importance of human*
 6 *rights in the relationship between our two nations;*
 7 *and*

8 (6) *the Administration should raise with officials*
 9 *of the Vietnamese government at every opportunity*
 10 *outstanding individual human rights cases.*

11 **(117)** *SENSE OF THE SENATE REGARDING IMPORTATION*
 12 *OF PRODUCTS MADE WITH CHILD LABOR*

13 *SEC. 593. (a) FINDINGS.—The Senate makes the fol-*
 14 *lowing findings:*

15 (1) *Principle 9 of the Declaration of the Rights*
 16 *of the Child, proclaimed by the General Assembly of*
 17 *the United Nations on November 20, 1959, states that*
 18 *“the child shall not be admitted to employment before*
 19 *an appropriate minimum age; he shall in no case be*
 20 *caused or permitted to engage in any occupation or*
 21 *employment which would prejudice his health or edu-*
 22 *cation, or interfere with his physical, mental, or*
 23 *moral development”.*

24 (2) *Article 2 of the International Labor Conven-*
 25 *tion No. 138 Concerning Minimum Age For Admis-*

1 *sion to Employment states: “The minimum age speci-*
2 *fied in pursuance of paragraph 1 of this article shall*
3 *not be less than the age of compulsory schooling and,*
4 *in any case, shall not be less than 15 years.”.*

5 (3) *The International Labor Organization esti-*
6 *mates there are hundreds of millions of children in*
7 *Asia, Africa, and Latin America under the age of 15*
8 *that are working, many of them in dangerous indus-*
9 *tries such as glass, metal works, textiles, mining, and*
10 *fireworks manufacturing.*

11 (4) *The number of children under the age of 15*
12 *who are working, and the scale of their suffering, in-*
13 *crease every year, despite the existence of more than*
14 *20 International Labor Organization conventions on*
15 *child labor and laws in many countries which pro-*
16 *hibit the employment of underage children. The De-*
17 *partment of Labor’s second biennial report on inter-*
18 *national worker rights, notes that “child labor has*
19 *been a dramatically worsening global problem”.*

20 (5) *In many countries, children under the age of*
21 *15 lack either the legal standing or means to protect*
22 *themselves from exploitation in the workplace.*

23 (6) *Bonded child labor is a particularly egre-*
24 *gious violation of human rights and constitutes a de*
25 *facto form of slavery.*

1 (7) *The South Asian Coalition on Child Ser-*
2 *vitute estimates there are over 55,000,000 child labor-*
3 *ers in South Asia alone, of which 10,000,000 are*
4 *bonded child laborers.*

5 (8) *The employment of children under the age of*
6 *15 commonly deprives the children of the opportunity*
7 *for basic education, perpetuates the cycle of poverty,*
8 *often undermines the stability of families, denies*
9 *gainful employment to millions of adults, and retards*
10 *efforts to achieve sustainable economic development in*
11 *Third World nations.*

12 (9) *Since the passage of the Fair Labor Stand-*
13 *ards Act of 1938, the intent of the Congress has been*
14 *to assure that the streams of commerce are not defiled*
15 *by the products of child labor.*

16 (10) *American consumers do not want to provide*
17 *a market for goods produced by the sweat and toil of*
18 *children.*

19 (11) *Evidence suggests that many products made*
20 *with child labor are being imported into the United*
21 *States.*

22 (12) *September 18, 1993, has been set aside to*
23 *observe International Day Against Child Servitude.*

24 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
25 *ate that—*

8 (3) the President should take action to seek an
9 agreement with governments that conduct trade with
10 the United States for the purpose of securing an
11 international ban on trade in products made with
12 child labor.

15 *SEC. 594. Section 644 of the Foreign Assistance Act*
16 *of 1961 (22 U.S.C. 2403) is amended by adding at the end*
17 *thereof the following:*

23 (119) WORLD BANK GROUP

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1 *tor of the Bank to use the voice and vote of the United States*
2 *to urge that the World Bank Independent Inspection*
3 *Panel—*

4 *(1) provide recommendations for improving the*
5 *economy, efficiency, and effectiveness of operational*
6 *programs and administrative functions of members of*
7 *the World Bank Group, including cost overruns, and*
8 *salary and travel expenses; and*

9 *(2) prevent and detect fraud and abuse in pro-*
10 *grams and functions of members of the World Bank*
11 *Group.*

12 *Beginning on July 1, 1994, and on July 1 of each year*
13 *thereafter, the Secretary of the Treasury shall submit to the*
14 *Committees on Appropriations, the Senate Foreign Rela-*
15 *tions Committee and the House Banking, Finance and*
16 *Urban Affairs Committee a report prepared by the Depart-*
17 *ment of the Treasury, with the participation of the Treas-*
18 *ury Inspector General, including information provided by*
19 *the World Bank Inspection Panel.*

20 *(b) DEFINITIONS.—For purposes of this section, the*
21 *term “World Bank Group” includes the International Bank*
22 *for Reconstruction and Development, the International De-*
23 *velopment Association, the International Finance Corpora-*
24 *tion, and the Multilateral Investment Guarantee Agency.*

1 **(120)** SEC. 596. SENSE OF THE SENATE.—(a) Since—

2 (1) President Yeltsin has consistently tried to
3 push forward economic and political reform;

4 (2) President Yeltsin was given a mandate by
5 the Russian people to hold elections and continue the
6 process of economic reform;

7 (3) Boris Yeltsin is the first and only popularly
8 elected president of Russia, and the parliament of
9 Russia is a holdover from the Soviet regime;

10 (4) the conservative parliament has consistently
11 stymied political and economic progress in Russia;

12 (5) slow progress on economic reform has
13 prompted the IMF to review its disbursement of Rus-
14 sia's second tranche from the Systemic Trans-
15 formation Facility;

16 (6) political and economic reform has been im-
17 peded by the actions of the hardline parliament;

18 (7) corruption is rampant and is impeding eco-
19 nomic and political reform and must be vigorously
20 and effectively combated.

21 (b) It is the sense of the Senate that:

22 (1) The Senate supports President Yeltsin in his
23 effort to continue the reform process in Russia, in-
24 cluding his call for new parliamentary elections con-

7 Titles I through V of this Act may be cited as the
8 “Foreign Operations, Export Financing, and Related Pro-
9 grams Appropriations Act, 1994”.

12 The following sums are appropriated, out of any
13 money in the Treasury not otherwise appropriated, for the
14 fiscal year ending September 30, 1993, and for other pur-
15 poses, namely:

19 For an additional amount for the “Assistance for the
20 new independent states of the former Soviet Union” and
21 for related programs, \$630,000,000, to be available upon
22 enactment and to remain available until expended ~~(121),—~~
23 ~~of which not to exceed \$500,000,000 may be made avail-~~
24 ~~able for a special privatization and restructuring fund:~~
25 ~~Provided,~~ That the United States contribution for such
26 fund shall not exceed one-quarter of the aggregate amount

1 being made available for such fund by all countries: *Pro-*
2 *vided further, That: Provided, That* the provisions of sec-
3 tion 498B(j) of the Foreign Assistance Act of 1961 shall
4 apply to funds appropriated by this paragraph.

5 DEPARTMENT OF DEFENSE

6 OPERATION AND MAINTENANCE

7 OPERATION AND MAINTENANCE, DEFENSE AGENCIES

8 For an additional amount for “Operation and main-
9 tenance, Defense Agencies”, \$979,000,000, to be available
10 upon enactment and to remain available until September
11 30, 1994: *Provided, That* the Secretary of Defense may
12 transfer such funds to other appropriations available to
13 the Department of Defense for the purposes of providing
14 assistance to the new independent states of the former So-
15 viet Union: *Provided further, That* the Secretary of De-
16 fense may transfer such funds to appropriations available
17 to the Department of State and other agencies of the
18 United States Government for the purposes of providing
19 assistance and related programs for the new independent
20 states of the former Soviet Union for programs that the
21 President determines will increase the national security of
22 the United States: *Provided further, That* the amounts
23 transferred shall be available subject to the same terms
24 and conditions as the appropriations to which transferred:
25 *Provided further, That* the authority to make transfers

Passed the House of Representatives June 17, 1993.

Passed the Senate September 23 (legislative day, September 7), 1993.

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